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CHINA
YESTERDAY AND TODAY

COMPILED BY
JULIA E. JOHNSEN

WITH AN INTRODUCTION
BY
Dr. PING WEN KUO

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EXPLANATORY NOTE

An immense interest and literature have grown up in relation to our largest neighbor of the Pacific—China. Both interest and literature have been greatly increased by recent events of political and social turmoil within that country resulting in impending realignment of international affairs.

The present handbook is an endeavor to represent the essential background, changes, and foreign implications back of the present upheaval in China, through selections from a varied and up-to-date literature. The immensity of the task, hinted at by one author in the remark "It would be difficult to make any statement about China and the Chinese which is not at least partly true," and the necessary limits of the handbook, preclude any attempt at representing all aspects that might well claim inclusion. Selections have been made, therefore, from the material as appears most informative, stimulative, constructive, or up-to-date. Articles from writers of both eastern and western races have been included, but no attempt has been made to balance these, since it is felt that the intrinsic nature of the material presents a more valuable standard of selection, and sympathetic and critical views a more equitable division, than racial lines alone.

The handbook consists of three sections. The first section represents the more permanent background of the country, historical, geographical, ethnological, descriptive, religious and cultural. The second section groups material relating to present day China and her internal problems, political, social, educational, missionary, economic. The third section deals with the various

problems of international relations, including the much discussed status, privileges and rights of foreigners in China. For the convenience of debaters and others who may desire to weight the claims of and objections to the Chinese aspiration for full independence from the present foreign infringement on her autonomy, the material in this section is grouped as general material, material favorable to China's aims and opposed to foreign interference, and material unfavorable to China or justifying the retention of some measure of foreign direction until internal order and strength are attained. That there has been interest in this discussion as a public questions is shown in recent official utterances, and in resolutions introduced into the 69th Congress calling for a readjustment of our relations with China. In the past year at least three collegiate and other debates have been held in the United States, worded substantially as follows: Resolved: That the nations should relinquish all affiliations with China except such as usually devolve upon consulates and legations.

A large, selected, and classified bibliography is given, confined largely, for reasons of space, to books and material published in recent years. The grouping is not absolute, references being placed where they appear to be most useful, and not duplicated under other headings. The compilation as a whole has been done with regard to the needs of debaters, study clubs, and readers for general information and special topics. Those who may wish to follow the subject further than has been possible in the handbook, or for more recent material on the changing factors in China's affairs, are referred to the various reference works that are found in well-equipped libraries. The *Readers' Guide to Periodical Literature,* the *International Index to Periodicals,* the *Cumulative Book Index* and *United States Catalog,* and *Public Affairs Information Service* all point to valuable and attractive material.

An introduction has been written for this volume by Dr. Ping Wen Kuo, Director of the China Institute in America, who has also given helpful and sympathetic advice and criticism in the selection and arrangement of material. A map is also included.

Julia E. Johnsen

June 23, 1927

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INTRODUCTION

The recent developments in China have created a demand on the part of the English-speaking public for books dealing with her historical background as well as with her present-day conditions. This handbook is one of the serious attempts to meet this growing demand. The materials contained herein have been carefully chosen and touch upon the important phases of her national life. Such being the case, the book should prove to be useful not only to students of international relations, but also to all those interested in China and in the study of her problems. In the brief space allotted to the introduction no attempt will be made to give a connected and comprehensive story of China, but rather to point out a few salient facts about the present situation in China so as to give a clear and right perspective.

In the development of social and political institutions the time element plays an important part. As an organized state China has had a practically unbroken history of more than 4000 years but as a republic she is one of the youngest, since the change of her form of government from monarchy to republic did not take place until 1911. Rome was not built in a day and a modern democracy cannot be created overnight by a revolution, but rather through a slow process of evolution. In many ways China is still going through a period of transition and readjustment, and the troubles of the period represent but the birth pains of a new republic and are likely to be overcome in the passage of time.

It must be remembered that the task involved in making the change is not the importation of a governmental scheme nor the introduction of a political panacea from

abroad, however effective they may be in other countries, but rather it is the task of evolving from within, and of creating a new political order that can meet the demands of modern times and at the same time be in harmony with the history, psychology, and tradition of the Chinese people.

Moreover, the readjustment which China is obliged to make is by no means confined to political institutions but extends to other phases of her national life. The fact is that all the great changes, political, industrial, intellectual, and religious, which have happened in the western world during the last three or four centuries are taking place in China today. It is not at all surprising, therefore, that conditions in China sometimes appear to be confusing and perplexing. The task before China is then no easy one and time is required for its satisfactory completion. Those who expect quick results may become impatient over what they regard as slow progress, but, as a matter of fact, China has been making greater progress than most people realize. It is to be hoped that the period of transition and of readjustment will not be too short, so that the changes to be made will be accompanied by the minimum of evil and the maximum of benefit and that China may retain all that is vital in her own culture and assimiliate only the best of western civilization. Surely half a century is not too long for her to do all the things which have taken the western world four or five centuries to accomplish.

In all discussions concerning China the lack of stable central government has been regarded as an evidence of the chaotic conditions in China. It is an admitted fact that, judging from modern standards of western nations, the central government of China has been more or less precarious and should be made more stable and efficient if it is to meet the new demands of modern times. There is, however, this much to be borne in mind. The central government of China throughout her history has seldom

been strongly organized due to the influence of the doctrine of laissez faire, or non-interference, advocated by the philosopher Laotze and his followers. It is true that the history of China does record a few regimes during which strong dictators succeeded in holding the reins of government and exercised a strong control over the country, but such regimes were in most cases short-lived. This lack of a strong central government has been a weakness but at the same time it has been a source of strength, for it was this which made possible the enjoyment of freedom through village autonomy and guild organization. It was because of this fact that the evil effects of China's political troubles have not been as serious as they would have been in a country with a highly organized central government, and that in spite of them, she has made noteworthy progress in education, in industry, and in other phases of her national life.

The recent civil strife has created an impression abroad that the Chinese people are divided among themselves and that they cannot get together. If this were so, China's future would be certainly doomed to failure. The truth of the matter is that whatever dissension there is is political and military in character and is more or less confined to politicians and militarists. As far as the people are concerned, they are essentially united. Indeed, the spirit of unity has never been as strong as it is today. What is it that has made this possible? The answer is that the Chinese people have always had a social solidarity made possible by the common race, common written language, common tradition, and common ideals. In recent years there have been many forces at work to bring about a greater unity and solidarity, such as the spread of education among the masses, the growth of the modern press, the extension of modern ways of communication, and the existence of national movements such as the National Association for the Advancement of Education, National Good Roads Movement, National Move-

ment for the Unification of the Spoken Dialects, National Anti-Opium Association, and the National Federation of the Chambers of Commerce.

Another important factor of the Chinese situation lies in the fact that in recent years the Chinese people, taken as a whole, have obtained a better understanding of China's problems and her position in the family of nations. In the report of the International Commission of the Shanghai shooting, Judge Johnson made the significant observation that the Chinese people have made greater advancement during the past ten years in civics, in the fundamental principles of government and in the understanding of individual rights under the law, than they had in any hundred years during their entire history, and that in the future, in all diplomatic dealings with the Chinese government, the wishes of the people must be considered.

With better understanding and increased knowledge there has been developed a greater interest in public affairs. Formerly the attitude of the people toward national problems was that of indifference, but now it is that of grave concern—at least, this is true of the educated. The old attitude is best expressed in the classical saying, "Since I am not in public office I have no obligation to participate in public affairs," while the new attitude is best expressed in the equally classical saying, "In the rise and fall of a nation, every citizen shares some responsibility."

Another factor of the Chinese situation is the rapid growth of public opinion and the ever increasing important part it plays in the determination of public affairs. Of the influences which have contributed towards the creation of this new phenomenon, the growth of the modern press has been the most potent, for in China "the pen is truly mightier than the sword." The existence of thousands of daily, weekly, and monthly papers is an evidence that there is greater articulation in China today

than in the past and that the voice of the people is now being heard in the government. The effectiveness of this newly created weapon has been tested with success in recent years. Public opinion frustrated the plan of carrying out the Twenty-one demands after they had been forced upon China. Public opinion inspired the Chinese delegates to refuse to sign the Versailles Treaty as a protest against injustice done to China. And it is largely the force of public opinion which is responsible for the recent rendition of the Shanghai Mixed Court to Chinese control. The political leaders in China, including the militarists, are conscious of the weight of public opinion and make every effort to win it for their support. These few examples are sufficient to show that public opinion is making itself felt in a positive manner, not only in the settlement of China's international conflicts but also in the solution of her domestic problems.

Perhaps the most significant factor of the Chinese situation is the rapid growth of a new patriotism, an awakening of national consciousness, brought about partly through internal changes and partly through influence from without. It is this new patriotism which is responsible for the inauguration of the significant movement of popular education having as its slogan "the removal of illiteracy in the present generation," and for the efforts that are being put forth to fight against public corruption, militarism, opium smoking, undesirable labor conditions and other political and social evils of the day. And it is the same awakening of national consciousness which has given a new impetus to the growth of the Nationalist Party and the rise of the nationalist movement.

The Nationalist Party, known as Kuomingtang, had its beginning some thirty years ago. The late Dr. Sun Yat-sen was its founder. It is this party which is largely responsible for the overthrow of the Manchu dynasty in

1911, for the establishment of the Chinese republic, for the launching of the revolution still in progress, and for the establishment of the nationalist government. It represents the best organized political party in China, and is the only party having a definite program and a definite political ideal, known as "Three Principles of the People."

It is to be noted that there is a difference between the Nationalist Party and the nationalist movement. While the Nationalist Party has been the moving spirit and backbone of the nationalist movement, the nationalist movement is much broader in scope. It is that movement which finds its expression in an intense devotion to national interest, national unity, and independence on the part of the Chinese people. The Nationalist Party is largely the political expression of the nationalist movement. This explains why many Chinese who are not members of the Nationalist Party are nevertheless nationalists in sympathy and in aspirations. The Nationalist Party may have its ups and downs, but the nationalist movement is bound to grow in strength and in power, for it cannot be undermined by any reactionary influences from within, nor can it be suppressed by any armed forces from without, however powerful they may be. In fact, experience shows that the more pressure is applied to it the stronger it becomes and the faster it spreads.

These represent some of the fundamental factors of the Chinese situation which augur well for the future of China. They are not as spectacular as the conflicts of militarists, but they are the positive and constructive forces at work which fill the hearts of the Chinese people and true friends of China with hope and encouragement. In the light of these signs of progress and of social and spiritual transformation, one cannot help but believe that the civil strife, and other political evils of the day, however serious they may be for the time being, will be overcome in the course of time and slowly but

surely there will be ushered in a new era of progress and of prosperity.

A brief word needs to be said as to the bearing of these factors upon China's international life. Many of the unfortunate happenings of recent years can be attributed to the failure of some of the nations and their nationals to recognize the existence of these essential elements of the Chinese situation and to readjust their relationships with China accordingly. It follows that a recognition of these factors will pave the way for the removal of some of the frictions that now effect the relationship between China and the Treaty Powers. It involves the change of at least three vital conditions.

First, it necessitates the change of policy toward China. The policy of force, formerly employed in dealing with China by some nations at least, must be replaced by a policy of justice and fair play. The policy of force should be abandoned because it is admittedly a wrong policy. The Chinese philosopher, Mencius, said, "When one by force subdues men, they do not submit to him in heart. When one subdues men by virtue, in their heart's core they are pleased and sincerely submit." Again, the policy of force is detrimental to the best interests of foreign nations, since China has learned to adopt the method of passive resistance and to use weapons which are more civilized than the army and navy, namely, economic boycott, and non-cooperation. Furthermore, the maintenance of the policy of force will exert a direct or indirect influence upon China toward militarism, thereby creating a new obstacle to international peace. Are the nations of the world going to encourage China in the further development of her military strength by the maintenance of the policy of force, or are they going to encourage her to follow peaceful pursuits through the adoption of the policy of justice in their dealings with her? Upon the answer to these questions rests not only the welfare of China but also that of the world.

Second, a recognition of these fundamental forces necessitates a change of attitude toward China and her people. The attitude of mind known as superiority complex, entertained by some foreigners and once shared by some Chinese themselves, must be removed, because it is responsible for many cases of high-handed treatment of the Chinese by foreigners and for their failure to give due regard to Chinese feelings and sensibilities. It is, at least, one of the chief causes of much of the friction between China and foreign nations in recent years.

Third, a recognition of the fundamental factors of the Chinese situation calls for a fundamental change of the spirit. There are some Chinese who attribute all the causes of unfavorable conditions in China to western nations and put all the blame on the existing unequal treaties. There are, on the other hand, many foreigners who claim that the cause of the existing conditions in China is entirely internal, in this way attempting to wash their hands of all responsibility. Both attitudes are unfair. A more desirable spirit would be for each to acknowledge a certain responsibility and to meet the other more than half way in attempting to solve the difficulties.

These, then, are some of the changes involved in the recognition of the fundamental factors of the Chinese situation. Without them all attempts to readjust relationships will be at best but compromises and makeshifts. Given these changes, all the problems existing between China and the nations, seemingly complicated, will find an easy solution. The very questions of the restoration of tariff autonomy and the abolition of extraterritoriality or consular jurisdiction, which China demands of the Treaty Powers, find their basis of settlement, since they represent the legitimate, reasonable claims of the Chinese people, and the natural, inalienable rights of China as a sovereign nation.

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CHINA—THE BACKGROUND

SKETCH OF CHINESE HISTORY[1]

Connected with the story of China there are three remarkable features. Firstly, antiquity, for whereas many ancient nations mentioned by Herodotus as its contemporaries have passed away, China still exists; secondly, the development of a unique civilization, reaching its climax some 3,000 years ago; and thirdly, isolation, owing to the fact that for a long stretch of time there was little intercommunication or cross-fertilization with other peoples.

Earliest Period

The origin of the Chinese race remains one of the unsolved problems of history, and all that we can say with certainty is that it came from somewhere in western Asia. Ethnologically the Chinese differ from other races of western Asia, as is seen by the structure of the hair and the formation of the eyes. In the south there has probably been considerable admixture of Malaysian blood.

Originally a nomadic people, the Chinese found their way through the pass between the Tienshan and Altai Mountains, and settled near the banks of the Yellow River in what is now the Province of Shensi.

Here they rapidly developed into an agricultural people, and, as in the case of the Euphrates and Nile, we find the growth of a civilization connected with a great river valley.

It goes without saying that the Chinese were not the first inhabitants in the country which they settled. They

[1] Dr. F. L. Hawks Pott, president, St. John's University, Shanghai. From Julean Arnold. *China: a Commercial and Industrial Handbook.* p. 17-25. United States Bureau of Foreign and Domestic Commerce. Trade Promotion Series, no. 38. 1926.

were brought into conflict with aboriginal tribes, much as the European settlers of North America were with the Indians. Remnants of these ancient tribes, called the Lolos, the Shans, and the Miaotse, are found in the islands of Formosa and Hainan and in Kweichow, Szechwan, Yunnan, Kwangtung, and Kwangsi Provinces, in South and West China.

The geographical situation of China helps to account for its long-time isolation from the rest of the world. On the west, the northeast, and the southwest there are great mountain ranges, and on the east the waters of the Pacific. The chief access in ancient times was over a long stretch of desert by the caravan route, which entered from the northwest through the pass we have referred to between the Tienshan and Altai Mountains. In this way there was some commercial relation with central and western Asia and with the Mediterranean world, but China was not brought into close commercial relationship with the European world until the sea route around the Cape of Good Hope was discovered at the close of the fifteenth century.

In a brief sketch like this, there is no space to refer to the mythical and legendary period. Chinese historians begin their story with the Age of the Five Rulers, B.C. 2852. One historic event stands out, and that was the great flood, B.C. 2297, caused probably by the overflow of the Yellow River. We have a graphic account of the disaster and the way the celebrated Yü, styled the "Engineer Emperor," coped with the calamity, and it is interesting owing to the fact that there have been periodical disasters of the same character, the consequences of which have led foreigners to refer to this river as "China's Sorrow."

During this period there was a more or less continuous struggle with the aborigines, known as the outlying barbarians, and they were pushed southward and westward.

At first the part of China controlled by the Chinese was small and comprised the modern Provinces of Shensi, Shansi, and Chihli. The government was patriarchal and the rulers were great tribal chieftains. Society was organized on the clan system, which accounts for the paucity of recognized surnames in China.

The clan spirit endures in China. In various parts of the country, and in the south especially, we still find clan fights. To understand modern China one has to bear in mind the strength of clan spirit. The family is the social unit, but each family is a member of a larger aggregation—the clan.

The early religion of the Chinese may be summarized as follows: There was the worship of Shang-ti (the supreme ruler), the powers of nature, and the ancestors. Divination was practiced. There were two classes of spirits, the beneficent and the evil, a distinction indicated by the Shen and the Kwei.

Chow Dynasty

The first historic dynasty in Chinese history was the Chow. It was established B.C. 1122 and lasted for nine centuries. We are indebted for our account of it to the writings of Confucius. It may be called the feudal period of Chinese history. Owing to the struggle with aboriginal tribes, military chieftains became powerful, and just as at a later period in European history, so in the East the successful warriors were rewarded by grants of land or by being given the control over small principalities. In this way a military aristocracy was developed and there was a division into orders, corresponding to dukes, marquises, counts, earls, and barons. China became a loose federation of States ruled by these feudal chieftains, who paid uncertain allegiance to the Emperor as their suzerain. Its political condition was not unlike that of the German confederation in the eighteenth century.

During this period lived the trio of famous teachers, Confucius, Mencius, and Laotze. Confucius, the greatest of Chinese sages, was born B.C. 551. Shortly after his death he came to be regarded with a feeling of religious veneration, and for over 2,000 years his teachings have exerted great moral and intellectual influence on his countrymen. Inasmuch as his purpose was to preserve the beliefs and customs of antiquity, his teachings have fostered conservatism. This is especially the case in regard to the emphasis placed on ancestor worship. His influence in China may be compared to the influence of Aristotle in Europe during the Middle Ages. Anything contrary to his doctrine was regarded as heretical.

Tsin Dynasty

At the close of the Chow dynasty we come to a period of greater centralization. This was brought about by the founder of the Tsin dynasty, the Emperor Shih Huang-ti (B.C. 221-200).

The evils of the feudal system had become so apparent that the Emperor took steps to increase the power of the central government by abolishing the small principalities or kingdoms and dividing the country into 36 Provinces, the rulers of which were to be directly responsible to himself.

Two well-known events took place during his reign. The first was the attempted destruction of the ancient literature, so that the conservative influence which it exercised over the minds of the people might be weakened. The second was the completion of the Great Wall along the northern frontier to prevent the inroads of the northern barbarians. It extends for 1,500 miles across mountains, hills, valleys, and plains, and is one of the most remarkable structures built by human toil.

Han Dynasty

During the Han dynasty (B.C. 206-A.D. 251), which followed the Tsin, the imperial form of government was

further developed, and the boundaries of the Empire were extended.

As to social organization the people were divided into the following classes: (1) The literati, whose education consisted in the acquirement of the six accomplishments —archery, horsemanship, rites, music, history, and mathematics; (2) the cultivators of the land; (3) the artisans; (4) the merchants.

No caste system has ever been developed in China, but there has been an intellectual aristocracy, a high prestige being enjoyed by the literati or educated class. Owing to the difficulty in acquiring a knowledge of the written character, education could not be widely extended and was confined to a privileged class. We have already referred to the influence of Confucius as making for conservatism. The other great conservative influence was that of Chinese education. It produced a class limited in numbers, bent on the preservation of classicism, and the turning away from the study of nature. Hence the backwardness in the development of science.

The farmers occupy the second place of honor. This points to the fact that China is essentially an agricultural country. Probably 300,000,000 out of the 400,000,000 inhabitants at the present day are engaged in tilling the soil. The land has become divided into small holdings, and peasant ownership has remained one of the marked economic features. This helps us to understand the difficulty in the introduction of farming machinery into this country, and of making any radical change in the methods of cultivation.

It may seem strange that the mercantile class is the last on the list. This is probably due to the fact that the merchants were regarded as the distributors and not as the creators of wealth. Commerce for the most part was conducted on a small scale. At an early period it was organized into guilds, regulating prices and terms of apprenticeship. Joint-stock companies were unknown until

recent years, and the failure of many such enterprises may be partly accounted for by lack of experience.

The Three Kingdoms

At the close of the Han dynasty there was one of the constantly recurring periods of civil war (owing to the fact that China has never developed a strongly centralized government), and the country was divided for a time into the Three Kingdoms—Wu (in the east), Shu (in the west), and Wei (in the north).

The weakness caused by internal dissension gave the northern nomad tribes outside the Great Wall the opportunity for which they were seeking, and henceforth they became a constant menace to China. These nomad tribes came first from Mongolia and later from Manchuria.

The first tribe to make an attack on China was that known as the Hiung-nu from Mongolia. From them descended the Huns, who later drove the Germanic tribes toward the west, and under the leadership of Attila (A. D. 445) attacked the Roman Empire.

Tang Dynasty

In the Tang dynasty (A.D. 618-907) the Empire was once more united. When peace had been established, the country entered on a period of great prosperity.

The civil examination system took on the form which lasted until the overthrow of the Manchus, and officialdom was recruited from the successful candidates. Remains of the ancient examination halls may still be seen by travelers in the city of Nanking. The Hanlin Academy, consisting of the greatest scholars of the land, was established in Peking.

The use of gunpowder, the compass, and printing from carved blocks date back to this period. The Empire was still further enlarged and the extent of China proper became approximately what it is at the present day.

During the reign of the great Emperor Tai-tsung (A.D. 627-650) Christian missionaries of the Nestorian Church came to China. They were permitted to propagate their religion, and at first met with considerable success. The Nestorian Tablet near Sianfu, Shensi, stands as a permanent memorial to this first Christian missionary enterprise.

At the close of the Tang dynasty, A.D. 907, came another period of internal disorder, with the inevitable consequence that the nomad tribes of the north made fresh incursions into the country.

Sung Dynasty

Thus we find the Sung dynasty (A.D. 906-1280) dividing the country with the tribe known as the "Golden Horde" or the Kins. The Kins occupied the north, and the Sung Emperors ruled over the south. Incessant warfare was carried on, and the famous Chinese general, Yoh-fei, whose tomb may be seen at Hangchow, struggled to drive out the Kins.

During the Sung dynasty, there lived a well-known social reformer, Wang An-shih (1068). He made radical proposals on the lines of state socialism in regard to the nationalization of commerce, government loans to farmers, income tax, and compulsory enrollment of militia. The unpopularity and failure of his plan are an evidence of the deep-rooted conservatism of China at that time.

Mongol Dynasty

After the Kins, another Tartar tribe, the Mongols, obtained the ascendancy. Under their great leader Genghis Khan (A.D. 1162) they invaded the north of China. It is said that the great Khan himself marched in triumph to the Shantung Peninsula, and from the hills near the modern Weihaiwei looked out over the sea.

The Mongols invaded western Asia and, penetrating as far as eastern Europe, overran Russia.

The conquest of China was made by Kublai Khan, the grandson of Genghis Khan. The Sung dynasty was overthrown, and a new dynasty established known as the Yuan or Mongol dynasty (A.D. 1280-1368.)

Owing to the invasion of Russia, Hungary, and Poland by the Mongols, the people of Europe had their attention directed to eastern Asia, and travelers and merchants undertook journeys to these unknown regions. The Christian Church realized that there was a vast territory for missionary enterprise. Among the earliest visitors of whom we have authentic records were the Polos, especially Marco Polo (1274).

In company with his father and uncle he came to China when he was 16 years of age. The travelers carried letters from Pope Gregory X, who was desirous of propagating Christianity in the Empire. Marco Polo gained favor at the Mongol court and was permitted to travel freely. Altogether he spent 21 years in the country, and at one time was prefect at Yangchow. In some of the Buddhist temples in the large cities in China, among the images of the 500 Lohans, that of Marco Polo is pointed out to travelers.

After his return to Europe, about 1300 A.D., he dictated an account of his travels in the East, and gave to Europe a description of what up to that time had been comparatively an unknown land.

During this dynasty the reconstruction of the Grand Canal, extending for a thousand miles between Hangchow, near Shanghai, and Tungchow, 14 miles east of Peking, was carried out.

The Mongols added little to the civilization of China, but yielded to the superior civilization of those whom they had conquered, for, as has been well said, China is like a sea that makes all the water that runs into it salt.

Ming Dynasty

After less than a century, the Mongol dynasty disappeared in a welter of disorder, and China came under the rule of a native dynasty. This was the Ming (A.D. 1368-1644).

As was natural, an earnest attempt was made to restore everything that belonged to the old régime. The civil-service examinations were reorganized and the Government of China assumed the form it held up to the time of the revolution.

The Emperor ruled by divine right, and was regarded as the Son of Heaven. He had the appointment of the Six Boards of Administration, and of the viceroys and governors of the Provinces. A Province may be compared to a territory in the United States Government. All officials in the Provinces down to the district magistrate were appointed by the central Government, but no one was allowed to hold an official position in his native Province. The Provinces were like satrapies and were free to administer their local affairs in detail, provided that they paid the necessary tribute and followed the general policy of the central administration. They had local autonomy for the levy of taxes and the administration of the law.

In the village communities, however, the village elder or "Tipao" was appointed "with and by the advice and consent" of the villagers, represented them in all official and governmental affairs, and was the channel of communication between the officials and the villagers.

From this brief account it will be seen that the Government of China has always been loosely federated. If we bear this in mind we can understand the frequent breaking away of Provinces from the central Government and the declaration of their independence. The centrifugal force has always tended to become stronger than the centripetal.

As peace prevailed for a long time, the population of the 18 Provinces into which the country was divided increased rapidly.

During the Ming dynasty, A.D. 1368-1644, adventurers and merchants from Europe began to come by the new sea route recently discovered, and not, as formerly, by the overland routes.

The first to make their appearance were the Portuguese. In 1577 they obtained a lease of Macao, 88 miles from Canton, and there made a settlement which has continued to the present day.

In 1573 the Spaniards came upon the scene and took possession of the Philippine Islands, which they retained until the Spanish-American War.

In 1622 the Dutch arrived, settling first on the Pescadores Islands, and then erecting trading forts at the north and south ends of the island of Formosa, where they remained until 1659.

Manchu Dynasty

The Ming dynasty lasted for nearly 300 years, and then, owing to a rebellion in China caused by internal dissension, fell before the inroads of the Manchus, who captured Peking and established the Tsing dynasty. The wearing of the queue imposed by the conquerers as a badge of submission to the Manchus dates from that time.

Modern Period

This brings us to the modern period—most difficult to condense in a brief sketch. One of the chief features is the conflict between China and western nations, which resulted in opening up China to foreign commerce and to modern industrial methods. The industrial revolution in Europe led to the search for new markets for machine-made goods, and thus an economic factor had a good

deal to do with forcing China to enter into closer commercial relations. China's attitude was one of reluctance. China prided itself upon what it considered its superior civilization, and did not welcome foreign trade. In fact it considered that by the purchase of foreign commodities money would flow out of the country, leading to its impoverishment.

Russia and Holland in succession sent commercial missions to China, but were unsuccessful in removing the barrier of restriction on foreign trade.

In the reign of Kien-lung (1793) while George III was King of England, Lord Macartney was sent on a commercial mission to Peking, and consent was obtained for carrying on trade at Canton by British merchants, provided that they submitted to the regulations imposed by the provincial officials. As a result there was constant friction, leading finally to war.

The first war between China and Great Britain, known as the "Opium War," occurred in 1841-42. The war was disastrous for China and was brought to a close by the signing of the treaty of Nanking (1842). According to the terms of this treaty, Canton, Amoy, Foochow, Ningpo, and Shanghai were opened as treaty ports, where foreigners could reside and carry on trade, and Hongkong was ceded to Great Britain.

The first treaty between the United States and China was signed by Caleb Cushing on July 3, 1844, although the first American vessel visited China as early as 1783 with a supercargo, Major Shaw, commissioned by the Continental Congress as consul to Canton.

A second war occurred in 1856-1860, in which France joined with Great Britain in order to compel China to yield to the demand of the western nations for larger commercial privileges and the opening up of diplomatic relations. The result was the treaty of Peking (1860), by which Kowloon, opposite Hongkong, was ceded to Great Britain, and Tientsin was opened as a treaty port.

The right of the residence of foreign ambassadors was granted. Other nations secured the same commercial privileges and entered into treaties with China.

In the meantime China was ravaged by the Taiping rebellion (1850-1864), in which over 20,000,000 lives were lost and many of the fairest districts of the Empire were devastated.

China yielded to the demands of the foreign nations from compulsion, and her submission incited a strong feeling of hostility among the people.

The antiforeign spirit manifested itself in the Tientsin massacre of 1870, when the Roman Catholic orphanage and cathedral were destroyed, and in the assassination of Mr. A. R. Margary, of the British consular service, on the borders of Yunnan in 1876.

As a result of the latter act of violence a convention was held at Chefoo, and China was forced to agree to the opening of four new treaty ports—Ichang, Wuhu, Wenchow, and Pakhoi—and six ports of call on the Yangtze for the landing of foreign goods.

In 1884 a war broke out with France over a dispute in regard to Tonkin, in which China was further humiliated.

As an evidence of the strong antiforeign feeling among the people, riots broke out along the Yangtze River in 1891. It did not yet occur to China that internal reform and the adoption of a progressive policy were the only means by which the country might be saved from foreign aggression.

The war with Japan (1894-95) was a turning point. China learned its own weakness and the strength that Japan had acquired by adopting western education and military science.

As a consequence of this war China was obliged to recognize the independence of Korea (since then annexed to Japan), to give up Formosa and the Pescadores Is-

lands, and to open as treaty ports Shasi, Chungking, Soochow, and Hangchow.

The effects of this war did not end here. Realizing China's weakness, a policy of further aggression was pursued by western nations. In 1897 Germany seized Kiaochow. Russia forced the Chinese Government to lease Port Arthur (a very strong naval base), Great Britain obtained the lease of Weihaiwei and France that of Kwangchow. Italy put in a demand (not granted) for Sanmen Bay in Chekiang in 1898. It began to look as if the partition of China were inevitable.

Alarmed by the dangers to which the country was exposed, a band of ardent reformers persuaded the Emperor Kwangshu to adopt a more enlightened policy. In 1898 the famous reform edicts were issued, and for a brief period it seemed as if China was about to modernize its government. But the Empress Dowager by a coup d'etat seized the government, put the reformers to flight, instituted a reign of terror, and restored the conservative régime.

The Boxer outbreak in 1900 was the last desperate attempt on the part of the ultraconservative element to stem the tide of European encroachment. The complete failure of this uprising and the success of Japan a few years later in the Russo-Japanese War were convincing evidence that China's only hope of salvation was in following the example of Japan, especially in regard to education and military science.

Even the Empress Dowager appeared to be converted, and in 1905 the old civil-service examination system, instituted in A.D. 630, was abolished, and the new education was introduced into the schools. Promises were made in regard to the granting of a constitution, and the country was exhorted to prepare itself for this important change.

Owing to growing discontent with the corruption of

the Manchu Government and its insincerity in regard to redeeming its promise of a grant of a constitution, a revolution broke out in Wuchang in 1911, resulting in the expulsion of the Manchus and the establishment of the Republic. Dr. Sun Yat-sen, who for a long time had been raising funds in foreign countries for fomenting a revolution, returned to China and was proclaimed provisional President in Nanking on January 1, 1912. In order to bring over the north to the side of the Republic, Dr. Sun Yat-sen retired in favor of Yuan Shih-kai, who was elected President by the National Assembly.

The revolutionists were soon dissatisfied with Yuan, and an attempt at a second revolution took place in 1913. This was suppressed and President Yuan undertook to govern the country as a military dictator, appointing his generals as military governors or tuchuns over the Provinces. In 1916 he attempted to restore the Empire and to make himself Emperor, but owing to a threatened rebellion he was forced to relinquish his ambitious design. Upon his death, which occurred shortly afterwards, the country drifted into a helpless condition politically, owing to the struggle among the military governors for supremacy.

During the Great War Japan ranged itself on the side of the allied nations, and participated by sending an expedition for the capture of Tsingtao, the port of Kiaochow, from the Germans. After its fall Japan seized the opportunity of making 21 demands upon China, in an endeavor to obtain a measure of political and economic control over China's development. China was compelled to yield, but declined assent to Group V, which contained the most objectionable demands.

In 1917 China broke off diplomatic relations with Germany, and the question as to whether it should declare war or not aroused a great controversy. Parliament was opposed and in consequence was dissolved.

After the dissolution of Parliament those in favor of war, the military party, dominated the Government and war was declared.

One consequence of the dissolution of Parliament was the revolt of Dr. Sun Yat-sen, who came forward as the champion of the Constitutionalists and set up an independent government in Canton.

By declaring war against Germany, China hoped to avail itself of the friendship of the Allies and to obtain redress of its grievances, in the terms of peace at the close of the war. At the Versailles Conference, however, China met with a disappointment. Unable to obtain the possession of the territory it had been compelled to relinquish—as China believed, unjustly—a strong anti-Japanese feeling broke out in the country, and China's representatives refused to sign the terms of the Versailles treaty.

At the present time, politically, China is in a difficult situation. The finances of the central Government are in a distressed condition. The struggle for power continues between the rival tuchuns in the north. The country is rent with civil dissension, and, in consequence, commerce, industry, and education are making little progress.

The three great needs of China are (1) a stable government, (2) improved economic conditions, and (3) the spread of education. But, amidst so much that is dark, there are hopeful features. There is a rapid growth of national consciousness; there is a strong desire for peace; and there is a general discontent with the militaristic régime. The merchants of China are beginning to assert themselves and to demand a government that will put an end to disorder so that commerce and industry may be further developed. There is also in process a great intellectual revolution and a rapid dissemination of new ideas. All these forces must in time produce far-reaching results and bring about a new era in China.

GEOGRAPHICAL FACTOR IN DEVELOPMENT OF CHINESE CIVILIZATION[2]

It was in the valley of the Hwang Ho that civilization first made its appearance, some time, according to the best evidence available, between 3000 and 2500 B.C. It was essentially of a Bronze Age type, not pastoral and nomadic but settled and agricultural, with its fundamental features derived from the same common source with those of the great historic empires of the Occident. The economic systems of the three ancient civilizations, Sumero-Babylonian, Indo-Iranian, and Chinese, founded alike on agriculture and cattle breeding, show much identity in detail, and there appears to be little doubt that China was indirectly in contact with western civilization from the remotest ages. Von Richthofen, who considers that the Chinese had learned agriculture in the oases of the southern part of the Tarim basin, says, truly, that they were never an absolutely isolated people. Specifically this earliest-known Chinese civilization appears to be related, in some way not yet clearly made out, to the prehistoric culture of southern and southwestern Siberia—the so-called "Scythic" area.

The Yangtze River only comes under historic notice nearly two thousand years later, early in the first millennium before the Christian era. The influences operating to bring about the growth of civilization here fall into two groups. The first and, in the long run, most potent set worked gradually southward from the valley of the Hwang Ho and hence are ultimately derivable from Central Asiatic sources. But it is becoming increasingly apparent that from prehistoric times there has been a very real and important culture drift setting from the Ganges valley through Upper Burma and so across to the upper waters of the Yangtze, whose course it has followed east-

[2] From article by Carl Whiting Bishop, Columbia University. *Geographical Review.* 12:19-41. January, 1922.

ward toward the sea. It is a course by which culture influences in the shape of British trade goods are still entering China, as Ainscough points out in his "Notes from a Frontier" (Shanghai, 1915).

The southeastern coast lands, shut off from the great interior basin by mountains once clad with dense subtropical forests, were civilized late, partly from the Hwang Ho and partly from the Yangtze areas. The process for the northern end of the territory was well under way by about 500 B.C., but farther south, in what are now Fukien, Kwangtung, Kwangsi, and Tongking, it hardly commenced until three or four centuries later. Part of this region, indeed, comprised in the modern province of Fukien, through just this lack of water communication with the interior, was not permanently incorporated within the Chinese Empire until so late as 939 A.D.

Owing to peculiarities of terrain in the western region, the culture spread there has been not along but athwart the principal rivers, which have been obstacles rather than aids to its diffusion. The region owes its importance to the fact that here the Yangtze valley approaches most nearly to the Burmese area, thus providing an avenue for the infiltration into Central China of those Indian influences just mentioned. Burma and Yünnan form a geographical unit that at times has also been a political unit.

The most westerly point to which the origins of Chinese civilization can as yet be traced with assurance is on the upper waters of the Wei. This river drains eastern Kansu and central Shensi, falling finally into the Hwang Ho not far from the point where the latter makes its great bend eastward. Many of the earliest myths of the Chinese people are localized in its valley; and, what is more, these same myths are just those which preserve most definitely features connecting them with the folklore of western Asia and eastern Europe. Among these

is the belief in beings with serpent bodies and human heads. The mythical Chinese civilizer, Fu-hi, a creature of this description, is said to have been born near the sources of the Wei, in Kansu; and the legends about him are localized mainly in the northwestern provinces of Shansi, Shensi, and Kansu. The introduction of metal is ascribed to him rather significantly, in the first place on account of this very connection of his with the west, and, secondly, because a similar mythological concept of a human-headed serpent also appears in that same Scythic area to which China appears to have been culturally related. Another parallel to a well-known western belief is the legend of the supernatural "great bull of the River Feng," and there are accounts of white horses, especially white chariot horses, which suggest Occidental contacts.

It was here in the basin of the Wei that the old Bronze Age civilization of China received its definite and specialized form. And apparently here it remained for a long period before it pushed on still farther east, into the great North China plain, then occupied by Neolithic barbarians who lived mainly by hunting and fishing, eked out with a primitive horticulture carried on by the womenfolk with the aid of great stone hoes precisely like those employed by some tribes of our own American Indians.

When, some time after 3000 B.C., this invasion took place, it was not, it would seem, as a concerted movement, undertaken upon a large scale all at once. What really occurred was probably a sort of culture penetration carried on slowly by traders, refugees, captives, stragglers, and, possibly, small bodies of actual invaders. In the early legends a prominent part is played by Hwang Ti and may indicate, as pointed out by E. T. Williams, that he was really the leader of a band of immigrants. His name, or rather title, is usually translated "Yellow Emperor," though the correctness of this has been questioned. Whatever its meaning, it may well have been

the title borne by a succession of sacerdotal rulers: "Ti" connotes divinity, and might suitably be applied to a god king of the type widely spread among primitive agricultural peoples. At all events it is clear, as Dr. Williams says, that this cycle of legends is referable to extreme northwestern regions and not at all to the lower valley of the Hwang Ho, the later "Middle Kingdom."

The result was the establishment, not of a single centralized "empire," but of a vast number of small city states, the ancestors of the modern *hsien* or townships, each under control of a ruling clan with a patriarchal organization and a culture not very different from that of the earliest Babylonia that we know historically. The simple, almost parochial, character of the social organization depicted in the old Chinese myths proves that the latter were at first told of petty communities. Furthermore, the legends say that Hwang Ti delimited 10,000 fiefs and built a city in each. This seems undoubtedly a folk recollection of a period of small city states.

In some cases these *hsien* actually retain to this day the same names that they bore as *kuo,* or independent states, 3,000 years ago. Their numbers are given as 10,000 under the Hsia Dynasty (said to have ruled 2205-1766 B.C., but here we are still in the legendary period); as 3,000 under the Shangs (1766-1122 B.C.); and as 1,800 at the beginning of the Chou period (1122 B.C.). This progressive reduction in the number of the fiefs was of course accompanied by a corresponding increase in size; but even so, the 1,800 said to have been in existence at the close of the second millennium before the Christian era must have been tiny affairs, for the same area nowadays contains scarcely half as many *hsien* or townships. The average size of the modern *hsien* in Shangtung, for example, is, according to R. F. Johnston, only 520 square miles. As Professor Parker remarks, in early times the "country" of each feudal chief was his mud village and the few square miles of fields around it.

The tie which bound these primitive little states together in the sort of loose confederation which seems to have existed was not political but religious. Its outward manifestation consisted in the common periodical worship of the sky, whose chief minister, the T'ien Tzŭ, or "Son of Heaven," was far more a priest than he was a king, although he seems already, three or four thousand years ago, to have evolved beyond the stage where he was actually a god himself, *in propria persona.*

For the first two thousand years or so after its emergence from the Wei valley the old Chinese civilization was confined almost wholly to the banks of the Hwang Ho and its affluents. Among the latter, one of the most important was the Fên, in southwestern Shansi, whose valley was apparently one of the earliest occupied and where in time there grew up a powerful state. There are reasons, indeed, for believing that this region was a center of Chinese culture even earlier than the valley of the lower Hwang Ho itself. Many of the oldest legends are localized here, and the earliest dynasty, that of the Hsia, is said to have been centered here. The important state which occupied this area during much of the first millennium before the Christian era retained the use of the very ancient Hsia calendar, with the year beginning in March. Another center of civilization was the valley of the Lo, which flows into the Hwang Ho from the southwest in what is now north-central Honan. Its importance was mainly due to the fact that it formed, with a short and easy portage, the best avenue of communication with the Yangtze basin. This route dates back to the earliest recorded times and undoubtedly exerted a controlling influence in the dissemination of the Bronze Age culture southward from prehistoric ages onward. In the opposite direction the farthest outposts of Chinese civilization were located on either side of the mouth of the Hwang Ho, which then entered the Gulf of Chihli near the modern Tientsin.

The one instance in which the protohistoric Chinese spread beyond the Hwang Ho basin was in the case of the Hwai River, whose headwaters, in central Honan, they occupied at an early date. But the conquest of the middle and lower course of this stream was quite beyond their power. A half-drowned region inhabited by a stubborn race who fought largely from canoes, the Chinese with their clumsy war chariots could do nothing with it, and it remained independent for something like two thousand years. The thickly forested mountains of Shansi and Shantung and the height of land bounding the Hwang Ho basin on the southwest also remained unconquered, as did the regions near the seacoast. The fact was that, as is commonly the case with early civilizations, that of Bronze Age China, while admirably adapted for the particular sort of environment in which it was evolved, possessed little flexibility or power of adjustment. Based fundamentally upon the plow in peace and the chariot in war, in hilly or wooded country or in regions of jungle or swamp it found itself helpless; and such areas, whether as frontier lands or as enclaves surrounded by the civilized Chinese states, remained free and unassimilated for ages.

Toward the close of the second millennium before the Christian era a fresh access of culture influences from the West reached northern China in connection with what is known historically as the Chou conquest. And here again it is the Wei basin that is found playing the leading part.

Lying at the eastern extremity of the ancient line of culture drift across Asia and separated from the North China plain by somewhat definite mountain barriers, this basin has played the part time after time of a storage reservoir in which both fragments of peoples and scraps of civilizations have found lodgment. Under the influence of such highly complex stimuli a culture would be formed there, only to overflow at length upon the rich

plains to the eastward and there undergo a further and larger development along the lines already determined for it. The Chou conquest of China, while probably far from being the first instance of this process, is the earliest of which we have actual historical accounts.

The Chous, when we first hear of them, are found dwelling in the upper portion of the Wei basin. Who they were, or whence they came, we do not know. Racially they were probably rather closely akin to the early Chinese. But one of their oldest myths claimed for their ruling house descent from a maiden mother and miraculously conceived son of a familiar West Asiatic type and, like the latter, patron divinities of agriculture. Moreover the Chous introduced into the Hwang Ho valley the harem system with eunuch attendants so well established in Babylonia and adjacent lands but hitherto unknown in China. And in the period immediately succeeding their conquest of China proper they were in touch with places in the west which are apparently to be sought for in the Tarim or Turfan regions.

During the first three centuries or so of their rule over China proper the Chous retained their headquarters in the Wei basin, although they established a secondary capital in their newly won possessions to which they made royal progresses from time to time, to offer the great state sacrifices and receive the homage of the assembled feudal lords. For some time they appear to have entertained designs of conquering the nearer portions of the Yangtze valley, and several of their early rulers are recorded as having invaded those regions. But they achieved no permanent annexations, and the southern frontier of the Chinese culture area in the early part of the first millennium before the Christian era seems to have been pretty much where it had been for the past thousand years or more, along the water parting between the Hwang Ho and the Yangtze.

Eventually, in the eighth century before Christ, the

ruling house of the Chous, already greatly weakened by internal decay as well as by various external causes, were forced out of their ancient seats in the Wei valley by predatory tribes from the west and compelled to remove to their eastern capital of Loyang, on the Lo River, in ancient China proper. Thus deprived of their old native territorial and fiscal base, they speedily lost what little remained to them of temporal power and degenerated into a line of *fainéant* priest kings whose sacerdotal character alone secured for them a further existence of several centuries. None of the Chinese states which had grown up out of the fiefs they had apportioned out after their conquest of China ever ventured, indeed, upon the sacrilege of overthrowing them; and the extinction of their line was the work of a fresh invasion from the west in the third century before Christ.

While there are earlier allusions to the area and its people, the first references to the cultural development of the Yangtze valley region date early in the first millennium before the Christian era. We then find rising there, on the north bank a little way below the famous gorges, the "barbarian," or non-Chinese, kingdom of Ch'u. The old Chinese name for this region was Ching Chou, or "Jungle-Land," and the character with which the name Ch'u itself is written contains as one of its elements the symbol for a forest. The delay of two thousand years which occurred before the Chinese culture succeeded in penetrating this area from the Hwang Ho valley, only a short distance to the north, was undoubtedly in great part due to the thickly forested character of this ancient lake bed, now one of the most densely populated and intensively cultivated portions of all China.

There is some reason to believe that the ruling element, at least, in Ch'u was of the great and highly gifted T'ai race, of which the Siamese, the Shans, and the Laos are the best known modern representatives. At all events its growth was steady, and it rapidly became the

leading state of the great valley, exercising a vague suzerainty even as far as the sea. But it was not until the latter part of the fourth century before Christ that it attained to its greatest power. At that time it had pushed its conquests up the Yangtze and its affluent, the Han, into eastern Szechwan and southern Shensi, on the one hand; while, on the other, it had after a savage struggle definitely subjugated and annexed the entire valley as far as the sea and had even made tributary the coastal regions extending southward from the mouth of the Yangtze. It had further succeeded, as the Chinese themselves had never done, in subduing the stubborn inhabitants of the Hwai valley; and it had also made important annexations among the native Chinese states in the Hwang Ho valley itself. Finally, toward the close of the century it despatched an army up the Yangtze to seize the Ta-li fu region in western Yünnan, in part no doubt for the purpose of securing control of the trade from Indian regions which was likely otherwise to be diverted northeastward, through Szechwan, to the rival state of Ch'in, then coming into prominence in the historic old Wei River basin.

GEOLOGIC HISTORY OF CHINA[3]

Not a few people in America picture China as a vast fertile plain, perhaps like the upper Mississippi Valley, densely populated and intensively cultivated. In fact, however, it is so generally mountainous that less than one-tenth of its surface is even moderately flat. On the west, especially, it is ribbed with cordilleras from which its two great rivers, the Yangtze and the Hwang, flow eastward to the Pacific.

In addition to this diversity of surface, there is also

[3] From article, "Geologic History of China and Its Influence Upon the Chinese People," by Professor Eliot Blackwelder, University of Wisconsin. *Smithsonian Institution. Report*, 1913. p. 385-96.

much variety of climate. In the northwest the conditions are dry and severe, like those of Montana and central Wyoming, while in the southeast they are humid and subtropical, approaching those of the Philippine Islands. Such are the extremes.

It is a fact well known to geologists that continents, and therefore countries, have not always existed in their present state, but that they have been built as a result of successive events and changes of conditions. If we were to dig beneath the surface in any part of China, we should find first one stratum and then another, and we should see also that these strata have been bent, cracked, and otherwise disturbed. Some of these structures are old and some young. It would be somewhat like excavating in an ancient city, where one house or temple has been built upon the ruins of its predecessor, and each affords a crude record of its time. The geologic structure of such a country as China has been determined largely by the rocks of which it consists, partly by the climate to which it has been subject, but chiefly by the geologic events which have occurred during its history. Of course the beginnings of that history are unknown, just as the human history of China shades into darkness when we attempt to trace it back into the remote ages. But the present features of the land are chiefly due to the later events in its life, and these have been partly worked out by the geologists who have explored its surface.

The mountains of northeastern China, typified by the province of Shantung, are unlike those of the rest of the country in several respects. Although the individual peaks are often sharp and rocky, they are generally separated by wide, flat-bottomed valleys. The process of erosion has here gone so far that the rivers have already carried away most of the land, leaving only isolated groups of low mountains. The broad valleys accommodate a relatively large number of people, who congregate in the villages dotting the intermontane plains. In con-

trast with most mountainous regions, travel between the different valleys is comparatively easy here, because many of the passes are but little higher than the plains themselves, and constitute scarcely any obstacle to progress. Roads are plentiful, and so the cart and wheelbarrow are the principal vehicles for through traffic.

This is one of the few parts of China where boats can be little used. The streams are shallow and full of sand bars, and on account of the pronounced wet and dry seasons many of them are intermittent. For these reasons the majority of them are not navigable. The deeply eroded land of Shantung has, however, suffered a relatively recent movement—apparently a sinking of the land—which has allowed the ocean to penetrate the mouths of many of the coastal valleys. This marginal drowning has produced some excellent harbors, such as that of Chefoo, the great silk port, and Tsingtau, the German stronghold.

On the west, and encircling the Shantung hills, lies the great plain of the Hwang or Yellow River, which will serve as the type of many much smaller plains in various parts of China. As explained before, this vast gently sloping plain has been built by the Yellow River and some of its tributaries in an effort to preserve a uniform gradient across the sunken portion of eastern China. Like the Lower Mississippi and all other rivers which are building up rather than cutting down their beds, the Hwang is subject to frequent floods and occasional shiftings of its channel. Its course between the mountains and the sea has thus been changed more than fifteen times in the last 3,000 years. In these incessant shiftings the river has strewn all over an enormous area, 500 miles from north to south by 300 miles from east to west, layer after layer of the fine yellow loam or silt; the very name "Yellow River," which is a translation of the Chinese "Hwang-ho," suggests the close resemblance to our own mud-laden Missouri. Almost every square foot of this

vast alluvial fan is, of course, underlain by a deep and fertile soil, and is intensively cultivated by the industrious Chinese inhabitants. One sees no large fields of grain, such as those on our Dakota prairies, but, instead, thousands of small truck gardens belonging to the inhabitants of hundreds of little mud-walled villages with which the plain is dotted. The ever-present town walls have doubtless been built, because the inhabitants have no natural refuges, as their mountain cousins have, and their very accessibility has made them in the past the frequent prey of Mongol and Tartar invaders or of rebels and rioters from within their own country.

Since the water supply of the plain is not lavish but little rice is grown there. The dry-land grains and such vegetables as cabbages and potatoes are the staple crops. The small gardens are sparingly irrigated, however, in times of drought, by water taken from the canals or wells, with the help of various types of crude pumps operated by men or by donkeys.

In this densely populated alluvial plain there is practically no pasturage and no woodland. From the very nature of the plain it could not yield coal, which is always associated with the solid rocks. To bring fuel, as we do, from distant parts of the country is impossibly expensive for the Chinese, without an adequate railroad system, and that is still a thing of the future. When the harvest has been gathered in the autumn the village children are therefore sent out to gather up every scrap of straw or stubble that can be used either for fodder or for fuel. The fields thus left perfectly bare in the dry winter season afford an unlimited supply of fine dust to every wind that blows. This is doubtless the explanation of the disagreeable winter dust storms with which every foreigner who has lived in northern China is only too familiar.

Although carts and wheelbarrows are much used on the Hwang Plain, their traffic is chiefly local. That may

be due in part to the fact that the numerous wide and shifty rivers are difficult to bridge, while ferrying is relatively expensive. Another, and perhaps more important, reason is that the rivers, and particularly their old, abandoned courses, afford natural waterways which are available nearly everywhere. By taking advantage of these or by deepening them, and in some places by actually digging canals through the soft material of the plain, the Chinese have put together the wonderful system of interlaced canals for which they have been renowned since Europeans first visited them. The thousands of junks which ply these waterways maintain a volume of inland commerce, which is inferior only to that of the great railroad countries, such as the United States. The relative freedom of communication in this great plain of the Yellow River has helped to bring about a greater homogenity in the people than in any other equally large part of China. Here we find a single dialect in use over the entire region, whereas in some parts of southern China the natives of even adjacent valleys speak languages almost unintelligible to each other. The other common effects of isolation, such as the lack of acquaintance with the customs of outside peoples, the hatred of foreigners, the peculiar local usages, and many other things, are less prominent here than in other parts of the empire. Excepting the coastal cities, there is no safer part of China for foreigners to travel through.

West and northwest of the Yellow River Plain lie the more rugged plateaus and mountains of northwest China, with their subarid climate presaging the approach to the deserts of Mongolia. Over much of this region the ancient limestones and sandstones are still horizontal or are gently folded, with occasional dislocations along faults. On account of the comparatively recent uplift and differential warping which this part of China has suffered, the streams have been greatly accelerated in their work, so that they have hollowed out canyons in the raised portions and have filled in the depressed basins with sand

and silt. This is the region celebrated among geologists on account of the loess, or yellow earth, which lines the basins and mantles the hillsides everywhere. It is believed that this is very largely a deposit of wind-blown dust, although it has been worked over considerably by the streams from time to time. No doubt Baron von Richthofen, the distinguished German explorer, was near the truth when he concluded more than 40 years ago, that the "yellow earth" was dust of the central Asian deserts carried into China by the northwest winds. The presence of the loess determines, in large measures, the mode of living adopted by the inhabitants. Because of its fertility and moisture-conserving properties, it is well adapted to dry farming, and there is little water for irrigation. The Chinese are not content with using the level bottom lands, but successfully cultivate the hillsides wherever a deposit of the loess remains. In order to prevent the soil from washing off from these steep slopes, they build a series of stone walls, thus forming soil reservoirs or terraces. In this way nearly all of the soil is utilized.

In such a country rivers are not numerous and those which exist have many rapids and shoals. Boats are therefore but little used in northwest China. For both passenger and freight traffic, pack animals or rude vehicles are the chief reliance. For passengers there are also the palanquin or sedan chair and the mule litter. Where the country is not too rough, the two-wheeled cart is the usual conveyance for merchandise. Over the mountain passes, however, and in many of the smaller valleys, roads are so narrow that carts can not be used, and so here pack animals, particularly horses and mules, are substituted. The traveler in this part of China is often reminded of his proximity to Mongolia by the frequent sight of camels. They are nevertheless not indigenous beasts of burden and the inhabitants themselves do not use them.

In going south by west from the plateau country, one

enters a region of warmer climate and more generous rainfall, which, for want of a more distinctive name, I have called the Central Ranges. This is the part of China which was particularly affected by the rock-folding movements of the Jurassic period, and which in a much more recent time has been reelevated and therefore newly attacked by the streams and other erosive agencies. Broadly regarded, it is a complex of sharp mountain ridges and spurs with narrow intervening valleys. The ridges are not so high, however, but that they are clad with vegetation, and the scenery is therefore not alpine. The surface is nevertheless very rugged and its internal relief averages at least 3,000 feet. The roughest parts of our Carolinas resemble it in a measure. In such a region obviously there is no room for a dense population. Wherever there is a little widening of the bottom of the valley there is a farm or occasionally a small village, and even the scattered benches high up the mountain sides are reached by steep trails and diligently cultivated. But even when all of these are combined, the total area of land under settlement is relatively small.

In this region there are no railroads whatever, and although wagon roads could be built in some places, they would be expensive, and the Chinese have not yet attempted to make them. All travel and commerce, therefore, depend on the agency of pack animals or coolies, and the roads they follow are mere trails winding around the steep mountain sides or threading the bottoms of narrow valleys, where swift streams must be forded at frequent intervals. Under such circumstances it is evident that there can be but little effective traffic. Only comparatively light and expensive articles can be transported long distances. Around the edges of the mountain mass where the populous cities of the adjoining plains can be reached with one or two days' travel there has been for centuries an important trade in lumber. The mountains have now been so largely deforested, how-

ever, that it is necessary to go farther and farther back into the heads of the valleys to find large trees. Hence only the more expensive kinds of lumber such as coffin boards—which are absolutely indispensable, even to the poorer classes—can profitably be brought out. These are often carried for 20 or 30 miles on the backs of coolies—a costly mode of transportation. The smaller trees and brush the mountaineers convert into charcoal, which they carry on their own backs down to the towns along the foothills.

Lack of transportation facilities is doubtless the chief reason why the opium poppy has in the past been widely cultivated in this part of China, although the practice has lately been prohibited by the Government. The advantage in poppy culture was that it could be carried on in small scattered fields and the product was so valuable for unit of weight that it would pay for long-distance transportation across the mountains. The inhabitants of the region themselves were not, however, generally addicted to the use of the drug.

The rainfall of the central mountain region is sufficient to supply the many springs and tributary brooks of which the people have made use in irrigation. The mildness of the climate here permits the growing of rice, and by terracing the hillsides they are able to make a succession of narrow curved basins, in which the aquatic crop may be grown. For the cultivation of rice it is necessary that the fields be completely submerged during part of the season, and so there must be a plentiful supply of water.

On the larger rivers, such as the Han and the Yangtze and their chief tributaries boats are successfully used. In fact, the Chinese river boatmen are so skillful in the handling of their high-prowed skiffs that they navigate canyons full of rapids which most of us would consider too dangerous to attempt. The descent of one of these rivers is an easy although exciting experience.

The return trip, however, is slow and laborious, for the boats must be dragged upstream by coolies harnessed to a long bamboo rope, which has the advantage of being very light as well as strong. In the many places where the river banks are so precipitous that it is impossible to walk along them it becomes necessary for the boatmen to pole around the cliff or to zigzag from one side of the river to the other to take advantage of every foothold.

Through the central part of this mountain uplift the great Yangtze River, which in its lower course readily accommodates large ocean-going vessels, has carved a succession of superb gorges. In many places the gray limestone walls rise from 3,000 to 4,000 feet above the river, and the stream is compressed into less than a tenth of its usual width. Difficult and dangerous as are these canyons, beset with rapids and whirlpools, they afford the only ready means of communication between eastern China and the fertile basin of Szechwan, which lies west of the Central Ranges.

Without the highway of the Yangtze this great Province, four times as large as Illinois and with more people than all of our States east of the Mississsippi River, would be unable to export its many rich products or to enjoy the commerce of outside Provinces and nations. It has been effectually barred off from India and Burma by the succession of high ranges and deep canyons which appear to be due primarily to the great epoch of folding in the Miocene period. Szechwan is a broad basin which has never been depressed low enough to force the streams to level its bottom with alluvial deposits, as in the Yellow River plain to the east; nor does it seem to have been elevated into a high plateau which would have been carved by many streams into a rugged mountain country. The soft red sandstone beds which underlie it have therefore been sculptured into a network of valleys with intervening red hills or buttes. With a climate as mild and moist as that of Alabama, and a diversified topography, there is opportunity for many industries and for

the cultivation of a great variety of crops. Szechwan leads all the Provinces in the exportation of silk. Here grow the lacquer and oil nut trees and a wide range of field and garden fruits, grains, and vegetables. Ample water for irrigation and especially for rice culture is supplied by the many perennial streams which descend from the encircling mountains. These uplifted and now mountainous tracts have also served as a barrier to invaders from all directions, so that this has been less subject to wars than almost any other part of China, and hence has been more stable in development. Its inhabitants are among the most substantial and progressive components of the Chinese nation.

We now come to the last of the geologic divisions which were laid out for consideration. From the Szechwan Basin southwest to the confines of India there extends a series of high mountain ranges separated by deep and narrow valleys, all trending in a south or south-easterly direction. Although not so high above sea-level as the mountains north and south of Tibet, these ranges are an even more effective barrier to travel because they are so continuous and the relief is so great. Not only is there no waterway but there are no wagon roads, and the building of a railroad would be a stupendous and expensive engineering task. Such a road would necessarily involve the making of a succession of long bridges and tunnels. Here, as in the central ranges, settlements are limited to the rare open spots in the bottoms of valleys, and so the population is sparse indeed. The total commerce is very small in volume, because goods must be carried almost entirely on the backs of coolies. The rugged characteristics of the region are evidently the direct result of the recency of the compressive movement which produced the tremendous mountain folds, and perhaps are still more due to the renewed uplifts which have permitted the streams to continue the carving of their deep gorges. This part of China is geologically very young, and to quote the words of the distinguished old

geologist of California, Joseph Le Conte, "the wildness of youth (here) has not yet been tempered by the mellowness of age."

POPULATION IN CHINA[4]

Ethnology

Who are the Chinese people? What is their origin and where did they come from? These questions constitute one of the perplexing problems in the study of anthropology. Owing to the old age of the race itself and owing to the lack of authentic historical record, the origin of the Chinese people can hardly be traced. Professor Terrien de Lacouperie claimed that the Chinese originally migrated from the West, from some part of Mesopotamia south of the Caspian Sea. Baron von Richthofen maintained that Khotan in the southwest of Eastern Turkestan was the original home of Chinese. While these theories have obtained general credence, they have no scientific proof to support them. On the other hand, the history of China knows only that the present provinces of Kansu and Shensi was the cradle of Chinese civilization. Yet even the Chinese themselves are not quite sure whether their early history is one of mythology or one of legend. However, as long as the present state of archaeological research remains, the theory of general migration from the West can be taken only as a matter of inference rather than of knowledge; and the record of the Chinese history, whether mythology or legend, should be considered as more preferable information by the anthropological students, at least for the present.

The Chinese race is the predominant race in the whole Republic. Besides Chinese, who principally live in China proper, there are the Eastern Mongolian race living in

[4] From article by Knochen Penn Wang, editor, *Far Eastern Republic*. *Far Eastern Republic*. 2: 266-70. September, 1920.

the north, the Manchurian race in the northeast, the Turki race in the northwest; the Tibetan race in the west, and the Miaotse race in the southwest. Chinese people constitute more than nine-tenths of the total population. People of other races play a very minor part in all phases of China's life and activities. In spite of the diversity of these races, or more correctly tribes, over sixty of which are to be reckoned with, all races in China physically belong to one main group of the human family, the Mongolo-Tartar family. Before we proceed to describe the principal races in detail, we will give the following classification of races, as taken from A. H. Keane's *Compendium of Geology and Travels, Asia,* Vol. 1.

TABLE OF RACES IN THE REPUBLIC OF CHINA

I. Mongoloid Races of Mongolo-Tartar Polysyllabic Speech

Race		*Where they live*
Khalka	Tushetu....	N. Mongolia mainly
	Tsi-tseng...	
	Jasaktu.....	
	(Sain-noin)	
Sharra or Eastern Mongolians	Uchumsin: Chakar	S., E., and S. E. Mongolia
	Genshikten: Barin	
	Kartsin: Jarot.....	
	Uniot: Sunni.....	
	Tumet: Kortsin...	
	Durban: Urat.....	
	Naiman: Ahkhanar	
	Ordos	
Eleuts (Kalmuks) or Western Mongolians	Chorass	Sungaria, Kulja, and N.W. Mongolia
	Turgut	
	Khoshot	
	Durbat	
Urianhai		Upper Yenisei Basin
Sok-pa		N.E. Kachi (N.E. Thibet)
Taldi		W. Kansu
Tungus Family	Manchus	Manchuria
	Tungus	
	Solons	Upper Ili Valley, Kulja
	Sibos	
	Taranchi	Kulja
	Kirghiz-kasaks	

Turki Family	Kara-Kirghiz	Central Tienshan
	Kashgarians	Tarim Basin, Kulja
	Dolans	Kashgaria
	Salars (Kara-Tanguts)	About source of Yangtse
	Horpa	W. Kachi (N. W. Thibet)

II. Mongoloid Races of Thibetan Intermediate Speech

Bod-pa (Thibetans proper)		San-po Basin mainly
Tanguts (Northern Thibetans)		Kansi, Kokonor, Tsaidam
Drok-pa		Central Kachi, between Sokpa and Horpa
Chak-pa		
Cham-pa		E. of Noh, Thibet
Kham-pa		E. of Khampa
Chang-pa		Cent'l Lake Region, Thibet
Si-fan	Andoan, Tochu	Thibeto-Chinese frontier from Kokonor to Yunnan
	Arru, Gyarung, Telu	
	Manyak, Melam	

III. Mongoloid Races of Chinese Isolating Speech

Chinese Proper	N. and Central China
Punti	Kwangtung
Hui-chan	
Hakka	Kwantung, Fukien
Hok-lo	Swatow district
Tungans	Kansu, Sungaria, Kulja
Khambing	Kulja
Chimpan	
Khato-zun	

IV. Highland Races of Undertermined Ethnical and Linguistic Affinities

Man-tse (I-Jeu)		W. Szechuan
Samu		
Miaotse or	Pe-lolo	S. bend of the Yangtse
	Shu-lolo	S. Szechuan, N. Yunnan
	He-lolo	
	Sen-lolo	
Nanman Group	Chung, Nguchung, Tunman	Kueichow uplands
	Kilas, kitao	Lipo district, S. Side Nanling Mountains
	Seng	Nanling Mountains
	Tung	N. Kwangtung
	Lyssu (Li-so)	S. E. Thibet between Lutsekiang and Lantsangkiang
Mosso (Civilized Lyssu)		N.W. Yunnan, S. of the Lyssu
Lu-tse (Anong)		N. of the Lyssu
Remepang		E. of the Lyssu
Pagni (bai, Terong or Bayual)		W. of the Lu-tse

Tsarong	N. of the Lu-tse
Ku-tse	N. of the Remepang
Diju	N. of the Gutse
Jrupa	N. of the Diju
Mu-ua (Anampel)	Upper Irrawadi, Burmese frontier
Shutung	W. Yunnan
Shang-lai	Island of Hainan
Shuk-lai	Island of Hainan

V. Aryan Stock and Speech

Tajiks	Kashgaria
Kara-Kultsi	Lower Tarim River
Lobnorski or Kara-Kurchin	Lob-nor district

The above table should not give readers any misconception, because, as was previously explained, the Chinese race is the predominant race. Many races named in the table are now extinct, notably races in the Nanman Group. Others which are still surviving are living in the mountains, keeping themselves together and fearing to come into contact with other races. They are more or less uncivilized. Red Indians in North America are the best illustration of these mountain races in China. They live their own peculiar ways and customs under their own jurisdiction; they are entirely separate from the main population of China; and they contribute no part to the support of China as a nation.

All races in China possess peculiar characteristics of their own as well as individual and fascinating histories. Though ethnically belonging to the same main human group, they are entirely different one from another both in physical features and appearances and in social customs and manners. Herewith we will give a brief account and description of each principal race.

First and foremost, we have the predominant element, the Chinese race. As it is recorded in Chinese history, the Chinese lived in the provinces of Kansu, Shensi, and Honan from time immemorial. Owing to the superiority of their civilization, they gradually came down south, conquering other uncivilized races. During the

Chow dynasty, from 1122 B.C. to 249 B.C., they reached as far as the northern banks of the Yangtse River, and by the Tsin Dynasty, which lasted from 249 B.C. to 206 B.C., they had covered all the provinces, except Yunnan, Kueichow, and Kwangsi. In the early times, however, though the Chinese inhabited these provinces, they did not exert any control over the other races. The total submission of other races to the Chinese race was effected in the Yuan Dynasty, from 1280 A.D. to 1368 A.D. During the fifth and sixth centuries, however, there were general incursions of the Tartar tribes from the north of China to the southern plains. These incursions introduced many foreign elements in China proper. Inter-marriages accordingly followed, and, hence, there was a general mixture of blood between the Tartar races and the Chinese race.

On account of the differences in climate and altitude between the North, Central, and South China, the Chinese inhabitants in these regions presented great differences in their physical structure and mental capacity. The Northern Chinese are, as a whole, tall and strong, well-built and fearless, daring and straight-forward. However, they are not susceptible to advanced mental development, when compared with their brothers in Central and South China. On the other hand, the inhabitants in the South are more or less a weaker people. Because of the absence of high mountains in South China, the people are inclined more toward literary pursuits. They are more gentle and delicate than the people in the north. In art, in industry, in manufacture, and in business, they surpass their fellow countrymen of the north. The people in Central China link the north and the south, their intellectual standard and their physical durability being intermediary between the two.

The stature of the average Chinese is 5.425 feet, the northerners measuring 5.52 feet and the southerners 5.33 feet. The head is normally brachycephallic or round hor-

izontally, and the forehead low and narrow. The face is round, the mouth large, and the chin small and receding. The cheek bones are prominent, the eyes almost almond-shaped, oblique upward and outward, and the hair coarse, lank, and invariably black. The beard appears late in life and remains generally scanty. The eyebrows are straight and the iris of the eye is black. The nose is generally short, broad, and flat. The hands and feet are disproportionately small, and the body early inclines to obesity. The complexion varies from an almost pale yellow to a dark brown, without any red or ruddy tinge.

Next to the Chinese, we have the Manchus. The home of the Manchus is Manchuria, where the Manchu ideals and inspirations were originally cherished. At times, they have been very strong, proving themselves as formidable neighbors in the north of China. In 1125 A.D., the Manchus known as Kins came down to China and established the Kin Dynasty in China by force. Though this Dynasty was short-lived, they came back again at the end of the Ming Dynasty, in the year 1644 A.D. With superior military strength, they crushed the rebellions then raging in North China. But when they finished the mission they were asked to perform, they drove the Ming Emperor out and established the late Tsing Dynasty, which lasted from that year to 1911, when the great revolution broke out. Since then, Peking instead of Manchuria has become the headquarters of their activities. When the Manchu emperors entrusted high governmental positions in the provinces to the Manchus, Manchus became distributed throughout all parts of the country, concentrating themselves in the provincial capitals and protected by strong armed guard of their own race. At present, owing to the wide area they have spread and owing to their adoption of Chinese customs and even Chinese names, we can not get any definite census of the total Manchu population. One estimate states 2,000,000 to be the number, while another

states 5,000,000; neither of them can be confirmed. But one thing is sure, that in Manchuria itself, the original home of the Manchus, they constitute only one-tenth of the whole population, the rest being Chinese who had migrated to live there since the beginning of the Tsing Dynasty.

The Manchus resembles the northern Chinese; they are slightly larger built and sturdier than the inhabitants of Central China, but their eyes lack the upward turn. It is rather hard, therefore, to distinguish between Chinese and Manchus, especially the men. The appearance of the Manchu women differ from that of the Chinese women. They generally wear long robes, and their hair is worn twisted round a silver bangle placed crosswise on the top of the head. In intelligence and in industry, the Manchus are far behind the Chinese. They were previously noted for their bravery and fierceness, but now, after having lived in peace for so long a time, they are no more war-like, but have acquired the habit of enjoying peace and comfort.

The next people in order of importance in the whole of China's population are the Mongolians. The Mongolians have played one of the most fascinating chapters in human history. Genghis Khan of the Khalka tribe was the hero of the race. He conquered not only China, but also many states in Europe as well. His army once marched as far as Hungary. It has been proved that the Magyars are the descendants of one of Genghis Khan armies stationed in Central Europe. The height of the Mongolian power and prestige was in the thirteenth century. They came down to China and established a large empire known under the Yuàn Dynasty (1280 A.D. to 1368 A.D.), embracing the whole of China and Mongolia. Since 1368, their power began to wane. They no longer counted as a fighting race.

The Mongolians are a sturdy, thick-set race, generally more powerfully built than the Chinese, vigorous

and capable of enduring great physical hardships. They are born horsemen, but on foot they are both awkward and incapable of much sustained effort. Their heads are broad and their necks large. Their chests are bow-shaped, and both face and nose are broad and flat. They have rather prominent cheek bones and upwardly oblique eyes. Their hair is black, beards rather scanty. Their voice is rather high-pitched. Except princes and high officials, who live in regular buildings, the rest of the race are contented with straw and mud huts. Cotton is the prevailing material for clothes. Most of the Mongolians are Buddhists, staying in the temples and praying to the Buddhist gods. At Urga, a living Buddha resides, to whom all Buddhist believers pay tribute and respect. There are about 20,000 temples in all; and about five-eighths of the male population are monks.

The Turki race living in Chinese Turkestan is deserving of a short description. It is enough to know that the whole territory of Sinkiang Province and neighboring territories are their original home. Their physical appearance, however, bears some peculiar characteristics. On their heads, they have bandages of coarse cotton cloth, something resembling the bandages on the heads of Hindus. Compared to the Chinese people, they are much taller. The color of their skin bears a tinge of crimson. As a rule, they have thick beards and whiskers. The style of their clothes is close to that worn by inhabitants living in Central Asia, long and large with short sleeves. Their religion is invariably Islamism.

The Tibetan race is also one of the important races in China. Resembling the Western Mongolians, the Tibetans have prominent nose and cheek bones, large ears and narrow foreheads. Their complexion is light brown, with a tendency to ruddiness. On the average, they are taller than the Chinese. They possess a peaceful disposition and enduring patience. They are courteous by nature, especially to strangers. Their clothing and dwell-

ings, as a rule, are very humble. Being very superstitious, they are more inclined to religious pursuits. However, there is a considerable portion of the race devoting themselves to industry and commerce and agriculture.

Besides the above five principal races, the other races are more or less insignificant. Among them, the Lolos and the Miaotses may be briefly mentioned. The Lolos are divided into two classes, the "black bones" (aristocrats and fighters) and the "white bones," or the tame Lolos, occupying some 11,000 square miles of mountain land in Southern Szechuan, Yunnan, and Kueichow Provinces. Their skin is white and their hair brown. Their eyes are blue, their noses are bow-shaped and pointed, and their limbs are slender but strong. The Miaotses are mostly found in the mountains of Kueichow and Yunnan Provinces. From the color of their dress, they are generally grouped into three divisions, the white, black and embroidered Miaotses. They are, as a whole, short in stature. The head is broad, and the hair straight. The skin is tinged with yellow. Other mountain races like the Yaos, the Lisos, the Sifans, the Tungs, etc., are less significant than the Lolos and the Miaotses, and, therefore, accounts of them are omitted here.

RULE OF FIVE[5]

According to ancient custom most ideas in China come in fives. One might substitute "fünf" for "drei" in the German saying and apply it to Cathay. Life consists in the five relationships: between sovereign and subject, husband and wife, parent and child, brother and brother, friend and friend. There are five classes of society, five orders of nobility, five rites, five degress of mourning, the

[5] From article "Thirty Thousand Miles in China," by Charles Keyser Edmunds, Ph.D., president of Canton Christian College and observer-in-charge Magnetic Survey of China, Carnegie Institution of Washington, 1906-1917. *Royal Asiatic Society. North China Branch. Journal.* 50: 4-12. 1919.

five-clawed dragon (which doesn't exist) and the so-called five-coloured porcelain (which isn't five-coloured!). There are the five elements: metal, wood, water, fire, earth; though the all surrounding air is omitted! There are the five senses, the five virtues, the five planets, five colours, five musical notes and the five classics, the learning of which by a cast-iron method has in several hundred years wasted enough energy for ten millenniums of true education. There are the five races, the five cereals, the five seasons and of special value to the traveller the five points of the compass: North, East, South, West and *Center;* indicating that it is just as important to know where you *are* as it is to get your *direction!* Hence even under the risk of being considered too artificial, I shall present my subject according to the ancient rule of five.

My journeys have taken me to the *five Sacred Mountains* of China: Taishan in Shantung, Hengshan in Hunan, Wutaishan in Shansi, Omeishan in Szechwan and Hwashan in Shensi. Of these Omei is the highest (10,000 feet) and affords the greatest variety of scenery, Hwashan (6000) presents the most interesting ascent because of the steepness of the artificial way prepared for devotees, while Taishan (5000) has the most valuable historical connection with China's Chief Sage, Confucius, who ascended this mount about 500 B.C. Each bears numerous temples and each is visited annually by thousands of pilgrims from far and near. The last named is now very accessible even for the tourist since the Pukow-Tientsin railway passes through Taian which lies at its base.

The *five great engineering feats* of the Chinese have been seen.

1. *The Great Wall,* begun as early as 240 B.C. and added to as late as A.D. 1547, to keep out invaders who nevertheless have made an effective entry, has been fol-

lowed for long distances in widely separated sections of its tortuous course of 1250 miles.

2. *The Grand Canal,* the oldest and longest artificial waterway in the world, built in three sections in three different periods (from 550 B.C. to A.D. 1283) and finally completed for the inland transport of grain from Hangchow in the South to the Capital in the North, has been traversed practically from end to end of its 1000 miles, in spite of the dilapidated condition of its northern section.

3. *The Hangchow Bore Wall,* built about A.D. 915 and still protecting millions from a twice-daily flood from the sea, has, though less known, impressed me as worthy of a greater share of fame than the Grand Canal or the Great Wall, because of the dynamic difficulties to be overcome in the construction of 180 miles of a wall which so effectively shuts out one of the most gigantic and powerful tidal bores in the world.

4. The exceedingly clever and extensive *irrigation system of Kwanhsien,* inaugurated probably about 200 B.C. and still responsible for so much of the prosperity of Szechwan, has been investigated from the headwaters of the Min that feeds it to the by-canals of the Chengtu plain where it supports millions on what would otherwise be barren land.

5. *The Brine wells of Tzeliutsing* also in Szechwan, sunk *by hand* to a depth of 3000 feet and operated by crude machinery with water-buffalo as the motive power, have been seen and marvelled at. Dating, as some of the wells do, from as early as A.D. 250, this region still supplies an enormous quantity of that most essential commodity, which in China is the Government's one monopoly, salt, which under the recent administration of Sir Richard Dane has added so greatly to the nation's revenue.

Note, please, three significant characteristics of these engineering feats: Each is of fairly ancient origin; each

is of great magnitude; and each is a work of utility, all but one (i.e., the Great Wall) being of important use today. Contrast these with the useless monuments which the ancient Egyptians have left us as marks of their former prowess and you will readily admit the superiority of the Chinese. Remember too that the Chinese are the only great nation to-day that has survived from any remote past.

Five Imperial Burial Grounds have been visited. Near Peking in three different directions are three such areas: The Ming Tombs near *Nankow,* much visited by tourists and possessing the finest setting of any of the imperial graves by reason of a great amphitheatre of mountains; the *Tungling* or Eastern tombs at Malanyu, east and slightly north of Peking by cart, where the *late Empress Dowager* lies buried behind a series of ornate buildings with most gorgeous roofs of yellow glazed porcelain; and the *Shihling* or Western Tombs to which one may journey practically all the way by rail *via* Kaopeitien on the Peking-Hankow line. Here the *last Emperor* lies buried. At both the Eastern and the Western tombs there are immense groves of cypress in the midst of which stand the shrines.

At *Nanking* are the tombs of the Southern Mings with a mile of huge stone figures flanking the avenue of approach just as at Nankow in the north.

In Southern Shensi and Western Honan are the enormous but simple mounds of earth which mark the resting places of the *Hans and the Tangs.* These and the two Ming burying grounds are of Chinese kings, while the Eastern and the Western tombs are of Manchu monarchs. All are truly imperial in their conception and dimensions.

Nor can we forget our pilgrimage to the birth and burial place of Confucius, at Kufu, in the ancient Kingdom of Lu (now the province of Shantung), where the 75th lineal descendant of the Sage so worthily bears to-

day the title of Duke, and cares for the graves of his ancestor marked by a stone bearing the simple yet majestic inscription "Most Holy Ancient Teacher."

There are *five principal* kinds of highways in China, just as elsewhere in the world; though up till now the relative importance of certain ones is much greater in China than in most other countries: Waterways, footpaths, pack trails, cart roads, and railways. Roughly speaking China is a country of no good roads. The chief reasons are not far to seek. In the great delta regions of the West and Yangtsze Rivers, in the best sections of the Great Plain and in Szechwan land is so valuable for cultivation that as little as possible is spared for highways. Then, too, these are the very regions where the population is so dense and labor so cheap that most transport on land is by human bearers who need only a footpath. And finally the frequency of waterways on which the cheapness of transport in boats of all sizes controls the situation for both short and long hauls even upstream.

The Five Rivers of First Importance

Waterways both natural and artificial are tremendously used wherever available and China for the most part is well supplied. Of rivers one thinks first of the mightly Yangtsze, a veritable aorta of trade that traverses the entire width of China proper from Tibet to the sea, and is navigable for ocean going vessels for 600 miles, by smaller steamers for 400 more and by still smaller steamers for another stretch of 400 miles, while junks of fair size can proceed still another 100 miles or so. The navigation beyond the first 1000 miles is, however, quite precarious.

We think secondly of the Si Kiang or West River and its tributaries in South China. Rising in Yunnan this stream is a great river by the time it reaches the Kwangsi-Kwangtung border. Marked in its upper and

middle courses by fine gorges and in its lower course by a magnificently fertile delta, it is navigable for coasting vessels as far as Canton and for smaller steamers as far as Wuchow while launches ascend the higher courses of its tributaries as well as of the main stream for another 150 miles or so and smaller craft go clear to the Western boundary of Kwangtung. This river system is second in importance only to that of the Yangtsze from an economic point of view.

Next in importance is the Han, which joins the Yangtsze at Hankow. This rises on the Shensi-Szechwan boundary. It is navigated by small steamers as far as Siangyang a distance of 300 miles, and during summer by cargo boats and houseboats and by smaller craft in all seasons up to Hanchung 600 miles further. In its course across Shensi it traverses abrupt gorges and its bed is rock-stream. It becomes readily navigable only at Laohokow where it widens rapidly to a width of 2600 feet. Further down it again narrows and at its mouth is but 200 feet wide in low-water season. In this lower part of its course, it has the peculiar feature enjoyed also by the Yellow River, of a bed higher than the adjoining plain, so that embankments are necessary. During the summer the water-level of the Han rises 20 feet, sometimes more, above the adjacent plain.

Of the Yellow River one can hardly speak as of a highway; for the most part it is useless except as a means of drainage and irrigation, and is one of the most unmanageable rivers in the world. In length it is but little inferior to the Yangtsze, being 2500 miles.

Rising in Tibet it is already a stream 200 yards wide when it enters northwestern Kansu, where its bed is 8000 feet above sea level from which it drops 5000 feet in its northeasterly passage across the province. From Kansu the Yellow River runs north to the high land of Mongolia where its course is changed to almost due east. At Hokow the river turns sharply to the south and continues

in that direction for about 480 miles until it is joined near Tungkwan by the River Wei and turns again sharply to the east.

The Wei rises in Eastern Kansu and flows southeastly to Shensi, and crosses that province in a nearly straight line from west to east. Its well-watered valley was the birth-place of Chinese civilization and is full of relics of the past. It has also the reputation of being the most fertile land in China. About nine miles from the river on its right bank, and half-way across the province, stands the great city of Sian.

At the Tungkwan bend the bed of the Yellow River is still 1300 feet above sea level. At the Sanmen rapids, which no boat can ascend, the river again enters the hills, to leave them finally at Mengching, a place above Menghsien, in Honan, about 200 miles below Tungkwan. Here the great river, running from four to six miles an hour, finds itself on the level plain, with still 400 miles to go before it can reach the sea.

This is where it is most to be dreaded, because the mud and sand carried down by its stream have actually raised the bed of the river until it is several yards above the level of the surrounding country. Consequently there are few important towns on its banks. At its crossing with the Grand Canal its bed is 16 feet above the level of the Canal.

During the whole known historical period this river has frequently changed its course for the last 350 miles. These changes have swept over a fan-shaped area of 60 degrees in one of the most densely populated and highly cultivated regions in all China, and have consequently caused great loss of life both directly by flood, and indirectly by consequent famine through destruction of standing crops as well as stored food supplies. This has earned for it the title of "China's Great Sorrow."

To hinder its overflowing embankments hem it in, some nearer, others farther, ranging one behind another

at variable distances. In this manner, if one gives way, another prevents the inundation. In their present state, these works are still very inefficient, the dikes being weak and constructed with materials that offer insufficient resistance.

Nowhere throughout its length is the Yellow River navigable without difficulty. Its highest reaches are rock strewn and only rafts can be used with any degree of safety. In the long southward reach between Shansi and Shensi navigation in crude boats can be accomplished downstream but only with considerable difficulty owing to the many rapids, and at one point navigation is completely interrupted by the young Niagra of Lungwang or Dragon King, 250 miles below Paote. Above the falls the river is about 200 yards wide, and the channel is broken up by rocky ledges. The bulk of the water, a tumbling mass of a coffee colour, flecked with foam, plunges into a narrow crack in its bed near the Shensi shore. The depth of the fall is about 60 feet, but the bottom is a seething caldron which cannot properly be seen owing to the clouds of spray that rise from it. The remainder of the water falls into the same fissure at right angles to the main fall in a series of cascades 500 yards long. There is a spot some distance below the fall where, standing on the roadway by the river-bank and looking upstream, one sees a cloud of mist rising from the middle of the water without apparent cause, while at one's feet the whole volume of a great river rushes for three miles down a narrow canyon in places not more than 15 yards, and nowhere more than 40 yards wide.

A day's journey below the falls is the famous Lungmen gorge, ending in the straits of Yumenkow. This gorge is about 10 miles long. The river is a deep, still stream 150 yards wide, and races between precipices of reddish-grey sandstone 800 feet high. Above the precipices the cone-shaped tops of the hills covered with green scrub rise for another 800 feet. At Yumenkow the banks

contract to 50 yards, and upon each side of the strait there is a fine temple. Coming downstream, when one's boat rushes through this strait there is a striking transformation, the river suddenly leaving the hills and spreading out over a sandy flat to a breadth of three miles.

At Yumenkow coal brought by mulepack from the mines of Southern Shansi is loaded on so-called "Honan" barges, curiously bedecked with bells, which carry their cargoes to Tungkwan and also up the Wei.

In its lower reaches the Yellow River is really navigable only in two stretches: to the north of Honan and in the last 25 miles of its course. But even in these parts shoals prevent boats except of very light draft from passing.

The control of the Yellow River is to-day one of the most pressing of China's physical problems. Experience has shown that the diking of such rivers is insufficient and almost futile. Captain William Tyler, coast inspector of the Chinese light house service, has presented a report on the Yellow River published by the Inspectorate-General of Customs at Shanghai in 1906, in which he proposes to control the river's lower reaches by providing for the depositing of the silt by deliberate flooding of large areas along the river, that is, to regulate its floods.

Of the *Grand Canal* we have already spoken. In the great delta regions natural and artificial waterways are as frequent as the cross roads in an American country.

In the south the highways are mere "single-file" footpaths on the tops of low ridges between cultivated fields. In some sections these are paved with stone slabs. The only native carts I have seen south of the Yangtsze are the low slung ox-carts in the southern part of the Island of Hainan and the high hung ox-carts of mid Hunan, and of these the chief part is their "squeak." In the Yangtsze basin, Central China, and especially Shantung,

wheelbarrows are used both for passengers and for goods; and some of these affairs are veritable "ships o' the land." In some sections of the Chengtu plain in Szechwan smaller one-passenger low slung barrows were encountered and used, though the sedan-chair is the "palace car" here as in most parts of China. In these regions camels are the monarchs of the road.
but hardly any better.

In the north generally, both east and west, carts are much used. Village and city streets as well as roads are hence of a better width than in the south. Throughout mountainous regions pack animals, usually mules or donkeys, are used, though in some regions human carriers alone can negotiate their way. While across the desert regions camels are the monarchs of the road.

In some regions, as in the loess country, the roads have become deep ruts worn below the general level of the land to a depth of 10, 20, 30 and even 70 feet! And these in the dry season are dusty beyond description and in rainy weather are deep in mud of a peculiar stickiness.

Along with the development of railways China needs improved roads everywhere.

There are, as might be expected, *five sorts of native transport;* some of these (though few of them could be called transports of delight!) I have used extensively, as follows:

I. Boats: junks, houseboats, triple-deck passage boats, canoes, slipper boats, footpower boats (2 kinds: rotary and direct), sampans, cargo boats and rafts, engine-driven, rowed, towed, yulowed, sailed and poled. In many provinces.

II Carts: closed and open, narrow (3 feet, 6 inches) and wide (6 feet, 8 inches), drawn by one, two or three animals (not counting the driver!) and always springless. In North China especially.

III. Wheelbarrows: single platform, double-sided, small wheeled, large wheeled, pushed by man, pulled by man or donkey or both, sometimes aided with a sail. In Central and North China. Avoided by me as much as possible.

IV. Bipeds: men and women, with loads carried on the back, across the shoulder at the two ends of a balanced rod, or between two carriers using one pole or two parallel poles. Sedan chair, two, three or four bearers; mountain chair, two, three or four. In every province.

V. Quadrupeds: horses, mules, donkeys, oxen, cows, camels and yak; with or without pack saddles, but for riding purposes *always* with a foreign saddle. Used for riding, pack or draft or for carrying a chair or litter slung between two animals. In Northern and Western China.

During the travel by cart, mulepack or carriers I have for the most part gone by myself on foot, partly from preference and partly to insure a more gentle transport of the chronometers in my belt or hand.

One of the most remarkable developments in the way of more rapid transportation in China has been the installation of so-called "launch trains," especially in the middle and lower sections of the Grand Canal and throughout the Canton delta. For instance, in the custom house at Canton hundreds of steam launches are registered as towing between it and neighboring cities and villages, and anywhere distant from 10 to 100 miles. These launch-towed craft are exceedingly well patronized both for passengers and for freight. Launch building ship-yards have been rapidly developed in Shanghai, Canton and elsewhere. But, for more rapid and adequate development of that class of communication upon which so much depends for the binding together of China, we must look to the railways.

SPIRIT OF THE CHINESE PEOPLE[6]

I have often been asked to say what Confucius has done for the Chinese nation. Now I can tell you of many things which I think Confucius has accomplished for the Chinese people. But, as to-day I have not the time, I will only here try to tell of one principal and most important thing which Confucius has done for the Chinese —the one thing which he did in his life by which, Confucius himself said, men in after ages would know him, would know what he has done for them. When I have explained to you this one principal thing, you will then understand what that something is in Confucianism, which can give to the mass of mankind the same sense of security and sense of permanence which religion affords them. In order to explain this I must ask you to allow me to go a little more into detail about Confucius and what he did.

Confucius, as some of you may know, lived in what is called a period of expansion in the history of China— a period in which the feudal age had come to an end; in which the feudal, the semi-patriarchal and social order and form of government had to be expanded and reconstructed. This great change necessarily brought with it not only confusion in the affairs of the world, but also confusion in men's minds. I have said that in the Chinese civilization of the last 2,500 years there is no conflict between the heart and the head. But I must now tell you that in the period of expansion in which Confucius lived there was also in China, as now in Europe, a fearful conflict between the heart and the head. The Chinese people in Confucius's time found themselves with an immense system of institutions, established facts, accredited dogmas, customs, laws—in fact an immense system of society and civilisation which had come down to them from their

[6] From article by Ku Hung-Ming, Confucian scholar. *Chinese Review.* 1: 75-85. June, 1914.

venerated ancestors. In this system their life had to be carried forward; yet they began to feel—they had a sense that this system was not of their creation, that it by no means corresponded with the wants of their actual life, that, for them, it was customary, not rational. Now the awakening of this sense in Chinese people 2,500 years ago was the awakening of what in Europe to-day is called the modern spirit—the spirit of liberalism, the spirit of enquiry, to find out the why and wherefore of things. This modern spirit in China then, seeing the want of correspondence of the old order of society and civilisation with the wants of their actual life, set itself not only to reconstruct a new order of society and civilisation, but also to find a basis for this new order of society and civilisation. But all the attempts to find a new basis for society and civilisation in China then failed. Some, while they satisfied the head—the intellect of the Chinese people, did not satisfy their heart; others, while they satisfied their heart did not satisfy their head. Hence arose, as I said, this conflict between the heart and the head in China 2,500 years ago, as we see it now in Europe. This conflict of the heart and head in the new order of society and civilisation which men tried to reconstruct made the Chinese people feel dissatisfied with all civilisation, and in the agony and despair which this dissatisfaction produced, the Chinese people wanted to pull down and destroy all civilisation. Men, like Laotzu, then in China as men like Tolstoi in Europe to-day, seeing the misery and suffering resulting from the conflict between the heart and the head, thought they saw something radically wrong in the very nature and constitution of society and civilisation. Laotzu and Chuang-tzu, the most brilliant of Laotzu's disciples, told the Chinese people to throw away all civilisation. Laotzu said to the people of China:

> Leave all that you have and follow me; follow me to the mountains, to the hermit's cell in the mountains, there to live a true life—a life of the heart, a life of immortality.

But Confucius, who also saw the suffering and misery of the then state of society and civilisation, thought he recognized the evil was not in the nature and constitution of society and civilisation, but in the wrong track which society and civilisation had taken, in the wrong basis which men had taken for the foundation of society and civilisation. Confucius told the Chinese people not to throw away their civilisation. Confucius told them that in a true society and true civilisation—in a society and civilisation with a *true* basis men also could live a true life, a life of the heart. In fact Confucius tried hard all his life to put society and civilisation on the right track; to give it a true basis, and thus prevent the destruction of civilisation. But in the last days of his life, when Confucius saw that he could not prevent the destruction of the Chinese civilisation—what did he do? Well, as an architect who sees his house on fire, burning and falling over his head, and is convinced that he cannot possibly save the building, knows that the only thing for him to do is to save the drawings and plans of the building so that it may afterwards be built again; so Confucius, seeing the inevitable destruction of the building of the Chinese civilisation which he could not prevent, thought he would save the drawings and plans, and he accordingly saved the drawings and plans of the Chinese civilisation, which are now preserved in the Old Testament of the Chinese Bible—the five Canonical Books known as the *Wu Ching,* five Canons. That, I say, was a great service which Confucius has done for the Chinese nation—he saved the drawings and plans of their civilisation for them.

Confucius, I say, when he saved the drawings and plans of the Chinese civilisation, did a great service for the Chinese nation. But that is not the principal, the greatest service which Confucius has done for the Chinese nation. The greatest service is that, in saving the drawings and plans of their civilisation he made a new

synthesis, a new interpretation of the plans of that civilisation, and in that new synthesis he gave the Chinese people the true idea of a State—a true, rational, permanent, absolute basis of a State.

But then Plato and Aristotle in ancient times, and Rousseau and Herbert Spencer in modern times also made a synthesis of civilisation, and tried to give a true idea of a State. Now what is the difference between the philosophy, the synthesis of civilisation made by the great men of Europe I have mentioned, and the synthesis of civilisation—the system of philosophy and morality now known as Confucianism? The difference, it seems to me, is this. The philosophy of Plato and Aristotle and of Herbert Spencer has not become a religion or the equivalent of a religion, the accepted faith of the masses of a people or nation, whereas Confucianism has become a religion or the equivalent of a religion to even the mass of the population in China. When I say religion here, I mean religion, not in the narrow European sense of the word, but in the broad universal sense. Goethe says:—"*Nur saemtliche Menschen erkennen die Natur; nur saemtliche Menschen leben das Mensliche.* Only the mass of mankind know what is real life; only the mass of mankind live a true human life." Now when we speak of religion in its broad universal sense, we mean generally a system of teachings with rules of conduct which, as Goethe says, is accepted as true and binding by the mass of mankind, or at least, by the mass of the population in a people or nation. In this broad and universal sense of the word Christianity and Buddhism are religions. In this broad and universal sense, Confucianism, as you know, has become a religion, as its teachings have been acknowledged to be true and its rules of conduct to be binding by the whole Chinese race and nation, whereas the philosophy of Plato, of Aristotle and of Herbert Spencer has not become a religion even in this broad universal sense. That, I say, is the difference be-

tween Confucianism and the philosophy of Plato and Aristotle and of Herbert Spencer—the one has remained a philosophy for the learned, whereas the other has become a religion or the equivalent of a religion for the mass of the whole Chinese nation as well as for the learned of China.

In this broad universal sense of the word, I say Confucianism is a religion just as Christianity or Buddhism is a religion. But you will remember I said that Confucianism is not a religion in the European sense of the word. What is then the difference between Confucianism and a religion in the European sense of the word? There is, of course, the difference that the one has a supernatural origin and element in it, whereas the other has not. But, besides this difference of supernatural and non-supernatural, there is also another difference between Confucianism and a religion in the European sense of the word such as Christianity and Buddhism, and it is this. A religion in the European sense of the word teaches the man to be a good *man*. But Confucianism does more than this; Confucianism teaches a man to be a good *citizen*. The Christian Catechism asks:—"What is the chief end of *man*?" But the Confucian Catechism asks:—"What is the chief end of a *citizen?*" of man, not in his individual life, but man in his relation with his fellowmen and in his relation to the State? The Christian answers the words of his Catechism by saying:—"The chief end of man is to glorify God." The Confucianist answers the words of his Catechism by saying:—"The chief end of man is to live as a dutiful son and a good citizen." Tzu Yu, a disciple of Confucius, is quoted in the Sayings and Discourses of Confucius, saying:—"A wise man devotes his attention to the foundation of life—the chief end of man. When the foundation is laid, wisdom, religion will come. Now to live as a dutiful son and good citizen, is not that the foundation—the chief end of man as a moral being." In short, a religion

in the European sense of the word makes it its object to transform man into a perfect ideal man by himself, into a saint, a Buddha, an angel, whereas Confucianism limits itself to make man into a good citizen—to live as a dutiful son and a good citizen. In other words a religion in the European sense of the word says:—"If you want to have religion you must be a saint, a Buddha, an angel," whereas Confucianism says:—"If you live as a dutiful son and a good citizen, you *have* religion."

In fact, the real difference between Confucianism and religion in the European sense of the word, such as Christianity or Buddhism, is that one is a personal religion, or what may be called a Church religion, whereas the other is a social religion or what may be called a State religion. The greatest service, I say, which Confucius has done for the Chinese nation, is that he gave them a true idea of a State. Now in giving this true idea of a State, Confucius made that idea a religion. In Europe politics is a science, but in China, since Confucius' time, politics is a religion. In short, the greatest service which Confucius has done for the Chinese nation, I say, is that he gave them a State religion. Confucius taught this State religion in a book which he wrote in the very last days of his life, a book to which he gave the name of *Ch'un Ch'iu,* Spring and Autumn. Confucius gave the name of Spring and Autumn to this book because the object of the book is to give the real moral causes which govern the rise and fall—the Spring and Autumn of nations. This book might also be called the Latter Day Annals, like the Latter Day Pamphlets of Carlyle. In this book Confucius gave a résumé of the history of a period of a false and decadent state of society and civilisation in China, in which he traced all the suffering and misery of that false and decadent state of society and civilisation to its real cause—to the fact that men had not a true idea of a State; no right conception of the true nature of the duty which they owe to

the State, to the head of the State, their ruler and sovereign. In a way Confucius in this book taught the divine right of kings. Now I know all of you, or at least most of you, do not believe in the divine right of kings. I will not argue the point with you here. I will only ask you to suspend your judgment until you have heard what I have further to say. In the meantime I will just ask your permission to quote to you here a saying of Carlyle. Carlyle says:—"The right of a king to govern us is either a divine right or a diabolic wrong." Now I want you, on this subject of the divine right of kings, to remember and ponder over this saying of Carlyle.

In this book Confucius taught that, even in all the ordinary relations and dealings between men in human society, there is, besides the base motives of interest and of fear, a higher and nobler motive to influence and inspire them in their conduct, a higher and nobler motive which rides above all considerations of interest and fear, the motive called Duty; so in this most important relation of all in human society, the relation between the people of a State or nation and the head of that State or nation, there is also this higher and nobler motive of Duty which should influence and inspire them in their conduct. But what is the rational basis of this duty which the people in a State or nation owe to the head of the State or nation? Now in the feudal age before Confucius' time, with its semi-patriarchal order of Society and form of Government, when the State was more or less a family, the people did not feel so much the need of having a clear and firm basis for the duty which they owe to the Head of the State, because, as they were all members of one clan or family, the tie of kinship or natural affection already, in a way, bound them to the Head of the State, who was also the senior member of their clan or family. But in Confucius' time the feudal age, as I have said, had come to an end; when the State had outgrown the family, when the citizens of a State were no longer com-

posed of the members of a clan or family. It was, therefore, then necessary to find a new, clear, rational and firm basis for the duty which the people in a State or nation owe to the Head of the State—their ruler and sovereign. But what new basis did Confucius find for this duty? Confucius found the new basis for this duty in the word *Honour.*

When I was in Japan last year the ex-Minister of Education, Baron Kikuchi asked me to translate four Chinese characters taken from the book in which, as I said, Confucius taught this State religion of his. The four characters were *Ming fen ta yi.* I translated them as the Great Principle of Honour and Duty. It is for this reason that the Chinese make a special distinction between Confucianism and all other religions by calling the system of teaching taught by Confucius not a *chiao*—the general term in Chinese for religion with which they designate other religions, such as Buddhism, Mohammedanism and Christianity—but the *ming chiao*—the religion of Honour. Again the term *chun tzu chih tao* in the teachings of Confucius, for which the nearest equivalent in the European languages is moral law—the term translated by Dr. Legge as "the way of the superior man," means literally, the way—*the law of the gentleman.* In fact the whole system of philosophy and morality taught by Confucius may be summed up in one word: the law of the gentleman. Now Confucius codified this law of the gentleman and made it a State religion. The first Article of Faith in this State religion of Confucius in China is this *Ming fen ta yi*—the Principal of Honour and Duty—which may thus be called: A Code of Honour.

In this State religion Confucius taught that the only true, rational, permanent and absolute basis, not only of a State, but of all Society and civilisation, is this law of the gentleman, the sense of honour in man. Now you, all of you, even those who believe that there is no morality

in politics—all of you, I think, know and will admit the importance of this sense of honor in men in human society. But I am not quite sure that all of you are aware of the *absolute* necessity of this sense of honour in men for the carrying on of every form of human society; in fact, as the proverb which says:—"There must be honour even among thieves," shows—even for the carrying on of a society of thieves. Without the sense of honour in men, all society and civilisation would on the instant break down and become impossible.

LAOTZU[1]

I love Laotzu. That is the reason I offer another interpretative translation. I want you to appreciate this wise and kindly old man, and come to love him. He was perhaps the first of scholars (6th century B.C.) to have a vision of spiritual reality, and he tried so hard to explain it to others, only, in the end, to wander away into the Great Unknown in pathetic discouragement. Everything was against him; his friends misunderstood him; others made fun of him.

Even the written characters which he must use to preserve his thought conspired against him. They were only five thousand in all, and were ill adapted to express mystical and abstract ideas. When these characters are translated accurately, the translation is necessarily awkward and obscure. Sinologues have unintentionally done him an injustice by their very scholarship. I have tried to peer through the clumsy characters into his heart and prayed that love for him would make me wise to understand aright.

I hate scholarship that would deny his existence or arrogant erudition that says patronizingly, "Oh, yes, there doubtless was some one who wrote some of the

[1] By Dwight Goddard. Introduction to his *Laotzu Tao and Wu Wei.* p. 1-6. Brentanos. New York. Copyright. Published by permission.

characteristic sonnets, but most of them are an accumulation through the centuries of verses that have similar structure, and all have been changed and amended until it is better to call the book a collection of aphorisms."

Shame on scholarship when, sharing the visions of the illuminati, they deride them!

There are three great facts in China today that vouch for Laotzu. First, the presence of Taoism, which was suggested by his teachings, not founded upon them. This is explained by the inability of the scholars, who immediately followed him, to understand and appreciate the spirituality of his teachings. Second, Confucian dislike for Laotzian ideas, which is explained by their opposition to Confucian ethics. Third, and the greatest fact of all, is the characteristic traits of Chinese nature, namely, passivity, submissiveness and moral concern, all of which find an adequate cause and source in the teachings of Laotzu.

An interesting fact in regard to the thought of Laotzu is this. Although for two thousand years he has been misunderstood and derided, today the very best of scientific and philosophic thought, which gathers about what is known as Vitalism, is in full accord with Laotzu's idea of the Tao. Every reference that is made today to a Cosmic Urge, Vital Impulse, and Creative Principle can be said of the Tao. Everything that can be said of Plato's Ideas and Forms of Cosmic Love as being the creative expression of God can be said of the Tao. When Christian scholars came to translate the Logos of St. John, they were satisfied to use the word "Tao."

It is true that Laotzu's conception of the Tao was limited to a conception of a universal, creative principle. He apparently had no conception of personality, which the Christians ascribe to God, in connection with it, but he ascribed so much of wisdom and benevolence to it that his conception fell little short of personality. To Laotzu, the Tao is the universal and eternal principle which

forms and conditions everything; it is that intangible cosmic influence which harmonizes all things and brings them to fruition; it is the norm and standard of truth and morality. Laotzu did more than entertain an intelligent opinion of Tao as a creative principle; he had a devout and religious sentiment toward it: "He loved the Tao as a son cherishes and reveres his mother."

There are three key words in the thought of Laotzu: Tao, Teh, and Wu Wei. They are all difficult to translate. The simple meaning of Tao is "way," but it also has a wide variety of other meanings. Dr. Paul Carus translates it, "Reason," but apologizes for so doing. If forced to offer a translation we would suggest Creative Principle, but much prefer to leave it untranslated.

The character, "Teh," is universally translated "virtue." This is correct as a mere translation of the character, but is in no sense adequate to the content of the thought in Laotzu's mind. To him Teh meant precisely what is meant in the account of the healing of the woman who touched the hem of Jesus' robe: "Jesus was conscious that *virtue* had passed from him." Teh includes the meaning of vitality, of virility, of beauty and the harmony that we think of as that part of life that is abounding and joyous. The third word is the negative expression, "Wu Wei." Translated, this means "not acting," or "non-assertion." When Laotzu urges men to "wu wei," he is not urging them to laziness or asceticism. He means that all men are to cherish that wise humility and diffidence and selflessness which comes from the consciousness that the Tao is infinitely wise and good, and that the part of human wisdom is to hold one's self in such a restrained and receptive manner that the Tao may find one a suitable and conforming channel for its purpose. The title of Laotzu's book, Tao Teh King, is carelessly translated, The Way of Virtue Classic, or The Way and Virtue Classic. This is very inadequate. The Vitality of the Tao is very much better.

Most commentators think that Laotzu's teachings fit in especially well with Buddhist philosophy. This conclusion is arrived at by the common interpretation of wu wei as submission that will logically end in absorption of the spirit in Tao as Nirvana. This understanding of wu wei, which Henri Borel shares in a measure, is, we believe, incorrect, inasmuch as Laotzu consistently teaches a *finding* of life rather than a losing of it. Laotzu's conception of Tao as the underived Source of all things, finding expression through spiritual Teh in universal creative activity, is very close to Plato's doctrine of the good as the One ineffable Source of all things, whose Ideas and Forms of Goodness, Truth and Beauty radiated outward as spiritual logoi in creative activity through Spirit, Soul and Nature to the farthest confines of matter.

While it is true that Laotzu's teachings would find little in common with the Old Testament anthropomorphic autocracy, and would find almost nothing in common with the modern Ritschlean system of ethical idealism which has for its basis a naturalistic evolution of human society by means of philanthropy, laws, cultural civilizations, and human governments backed by force of arms, nevertheless his teachings are entirely in harmony with that Christian philosophy of the Logos, which is a heritage from the Greeks, through Plato, Philo, St. Paul, Plotinus, and Augustine, and which is the basis of the mystical faith of the Christian saints of all ages. While Laotzu would find little in common with the busy, impertinent activities of so-called Christian statesmen building by statecraft and war, he would find much in common with Apostolic Christianity which held itself aloof from current politics and refused to enter the army, content to live simply, quietly, full of faith and humble benevolence.

And most of all would he find himself in sympathy with the teacher of Nazareth. At almost every Sonnet, one thinks of some corresponding expression of Jesus,

who had a very similar conception of God, but who recognized in Him that personal element of Love which made God not only Creative Principle but Heavenly Father.

Laotzu's vision of the virile harmony, goodness, and Spirituality of the Tao was what Jesus saw as the Fatherhood of God, self-expressing his love-nature endlessly in all creative effort, and, through universal intuition, endlessly drawing his creation back to himself in grateful and humble affection. Laotzu saw in a glass darkly what Jesus saw face to face in all his glory, the Divine Tao, God as creative and redemptive love.

As you read these verses, forget the words and phrases, poor material and poor workmanship at best, look through them for the soul of Laotzu. It is there revealed, but so imperfectly that it is only an apparition of a soul. But if by it, vague as it is, you come to love Laotzu, you will catch beyond him fleeting glimpses of the splendid visions that so possessed his soul, visions of Infinite Goodness, Humility and Beauty radiating from the Heart of creation.

BUDDHISM IN CHINA[8]

Buddhism was formally introduced into China during the reign of Ming Ti (i.e. Young P'ing), A.D. 58-76. It is clear, however, that a previous acquaintance with the religion had existed for a considerable period. I have already referred to the eighteen missionaries who reached China in the third century B.C., suffering imprisonment, it is said, at the hands of the emperor. The intercourse which existed, possibly direct, but chiefly through Central Asian tribes, would convey to China knowledge, however imperfect, of the ideas of Buddhism, which were then

[8] By Rev. W. E. Soothill, M.A. (Oxford); Hon. M.A. (Cambridge); late principal of the Shansi Imperial University; professor of Chinese, Oxford University. *Three Religions of China.* p. 93-5, 108. Oxford University Press. London. 1923.

actively influencing not only Hindus, but also the northern tribes which pressed upon them. Images and other objects of adoration, of which we have no previous record in the religion of the Chinese, are known to have found their way into the country. We are told that it was through a dream, in which he saw a golden image, that the Emperor Ming Ti sent an embassy to India to bring him the news of the great teacher who had arisen in the West. The very fact of this embassy being sent shows that the way was open between the two countries.

Eighteen messengers left the Imperial Court at Loyong, now Honanfu, in A.D. 65, and returned in 67, bringing with them images of Buddha, Buddhist scriptures, and two Indian monks. In this way was Buddhism installed in China. but for two and a half centuries no Chinese were permitted to become monks, so that during this period all the monks were foreigners. It is also worthy of note that during this period Buddhism made but little progress in China. It was not, indeed, until an order of Chinese clergy was instituted and a church under native control had been formed, that the religion obtained a wide extension.

When Buddhism had (thus) been fortified and come under the control of a body of Chinese clergy, long and ardous pilgrimages were undertaken by Chinese devotees to India. These were made by Fa Hsien, Hsuan Tsang, I Tsin and others, in the fifth, sixth, and seventh centuries respectively. The result of their pilgrimages is recorded in the works they left behind them.

In A.D. 526 "the Patriarch of Buddhism, Boddhdharma, the twenty-eighth in the list of Buddha's successors, left his native land and migrated to China, which thenceforward became the seat of the patriarchate."

Confucianism was all along opposed to the progress of Buddhism. In the beginning of the (eighth) century, "an official persecution had broken out," in which 12,000 monks and nuns were compelled to return to the secular

state, and Buddhism was prohibited for a long time. Another persecution took place in the middle of the ninth century. Chinese records relate that 4,600 monasteries were then destroyed. All the property of the monastic communities was confiscated. More than 260,000 monks and nuns were compelled to return to the secular life. Again, in the first half of the tenth century there was a period of severe suppression of the religion, 30,000 temples being closed.

None of these, or subsequent suppressions—most of them of a local character—sufficed to extinguish Buddhism, because it satisfied to some extent a spiritual craving for which neither Confucianism nor Taoism made provision, closely though the latter imitated its foreign rival.

I have already mentioned that the Patriarch of Buddhism finally took up his abode in China, and it is also worthy of note that it was China which became the center from which the religion, chiefly in its Mahāyāna school, was disseminated over eastern Asia. In the seventh century it became the accepted creed of Tibet, under the influence of the ruler, Srong Tsan Gampo, who had united the country under his sway. In the fifteenth century, when Christianity had already been known in China for centuries through Nestorian and western agencies, a great reform took place in Tibetan Buddhism, a reform which has made itself felt throughout the East, and especially throughout Lamaism in Tibet and Mongolia. It was from Tibet that Mongolia, during the thirteenth century, was converted to Buddhism, under the influence of the great Mongol conquerer, Kublai Khan, the patron of Marco Polo. Korea had received its importation directly from China in the fourth century A.D., and Japan from Korea in the sixth and seventh centuries. In all these countries differing forms of the religion exist, in many and varying schools, both of Mahāyānism and Hinayānism.

One of the most remarkable characteristics of the Buddha is his Catholicism. His religion is for all.

Neither caste nor colour may be a barrier in his community. His salvation is for all, men, women, and all creatures. It was the first universalist religion.

Ultimately revolutionary changes were brought into Buddhism. Whence these changes came is still a subject for research. The creation of the powerful Mahāyāna school, which has dominated northern and eastern Buddhism, is generally ascribed to Ashvagosha, during the reign of Kanishka, who began his reign in or about A.D. 10. Whatever the origin, the ideas introduced were of so important a character that the new cult received the name of Mahāyāna, the Great Vehicle, as contrasted with Hināyana, the Small Vehicle, signifying the relative narrowness of the latter both in regard to doctrine and saving power. Both schools flourished in India, and Hināyanism is still found in China, though Mahāyānism is there the prevailing cult.

As a religion Buddhism has profoundly influenced both life and thought throughout the Far East. I hold that in its Mahāyāna form it is not an enemy to the Christian missionary, but a friend, for it has familiarized the Chinese mind with ideas essential to the right appreciation of Christianity.

CASE AGAINST FORCE IN CHINESE PHILOSOPHY[9]

It is taken for granted by most Western writers on China that the love of peace is one of the pronounced characteristics of the Chinese people. One is surprised to find, however, that of all of the attempts made by Westerners to evaluate Chinese civilization, so little has been written showing the extent to which the Chinese do believe in the peaceful life, or the reasons which they offer

[9] From paper by Arthur W. Hummel, North China Union Language School, Peking, read before the Peking Historical Association. *Chinese Social and Political Science Review.* 9: 334-50. April, 1925.

in support of it. It is singular also that Christian missionaries, in the course of more than a century of contact with China, have taken so little cognizance of this impressive phase of Chinese life; all the more so because it relates itself naturally to certain non-resistant teachings of the Christian religion. However much our Western civilization owes to the Hebrews and the Romans, it would seem that we have nevertheless imbibed from them a certain self-assertive and aggressive view of life that has blinded, even the best of us, to other virtues which the Chinese have for ages exalted; namely, the virtues of reverence, and yielding, and self-restraint. Far from exalting these virtues, as the Chinese moralists have, we have too often looked upon them as indications of weakness and lack of strength; which may account for the apathy we have hitherto shown in the subject.

This apathy is all the more puzzling when we reflect that in the whole range of Chinese literature (which is of almost unparalleled magnitude) there is hardly a more persistent note than the note of pacifism and the futility of force in solving the problems of human relationships. The earliest Chinese written records are as insistent on this as the latest. And the emphasis is peculiar to no particular school of thought, for all Chinese thinkers, almost without question, take the non-militaristic point of view. The great number of Chinese proverbs expressing the same attitude show that these principles are not the possession of philosophers only, but of the great inarticulate multitude as well.

Chinese philosophers seem never to have advocated pacifism as it is promulgated in the West today—an isolated, self-sufficing theory. It is accepted rather as a natural corollary of the Confucian moral code. Neither Mencius nor Lao-tzu questioned the right to resort to force in self-defense and for curbing the power of oppressors. But force was to be employed only against such as frankly could not be appealed to on the rational

plane of the moral law; and then should be undertaken not in the spirit of gloating revenge, but in humiliation, a clear confession of one's own defeat and inability to solve the problem on rightful and higher lines. Therefore in China no great stigma has ever attached to those who abstained from the use of force when they sincerely believed that no useful ends could be gained thereby. Men of this type have even been lauded for their moral courage, and are counted among the great names of Chinese history.

Chinese thinkers, in theory at least, have never recognized any distinction between morality among individuals and morality among states. That sophistry whereby we excuse bullying and over-bearing conduct on the part of governments, which we refuse to tolerate in personal relationships, never appears in the Chinese classics. And the reason is that in Chinese thought the state was never recognized as a thing distinct in itself; it was never thought of apart from the people. Even to-day, when a Chinese feels agrieved and begins judicial action, he appeals in reality not to the state but to the moral law which is above the state and which is as binding on the state as it is on the individual. Government was never regarded as anything more than an instrument for carrying out the will of Heaven, that is to say, the moral law. When it ceased to do this it ceased to function until other connections between the people and Heaven were established.

The confidence with which the Chinese have in their thinking planted themselves solely and squarely on the moral law is something imposing and sublime. Faith in the essential goodness of human nature and faith in the power of knowledge to produce right action are fundamental presuppositions of their moral code. Tzu Lu asked Confucius: "Does not the princely man value courage?" The Master said: "He puts righteousness first. The man of high station who has courage without

righteousness is a menace to the State; the common man who has courage without righteousness is nothing more than a brigand." This righteousness, moreover, is contagious; and goodness on the part of those entrusted with authority will naturally induce goodness in those who look up to them. It will do so even without a display of effort; whether one is thinking in terms of the family or in terms of the state. "Let the husband do what is right," says a maxim, "and obedience on the part of the wife will follow." "Shun was one who did nothing," said Confucius, "yet governed well. For what in effect did he do? Religiously self-observant, he sat gravely on his throne, and that is all."

This principle, furthermore, is extended from personal and family relations to international relations; for as we have just said, personal and national morality are regarded as one and the same thing. "When distant peoples find fault with you, it is well to cultivate the virtues of civilized life." This saying of Confucius is but the extension of the common proverb: "The best way to stop slander is to reform oneself."

However frequently the Chinese people may have resorted to force in defending themselves against invading enemies, it still remains true that in the long run they have leaned more heavily on moral culture than on brute force to tame and civilize inferior peoples. That this was no mere empty ideal is shown by an interesting old phrase in the Chinese classical language, *kuei hua,* which now means "to become a Chinese citizen"; but which, translated literally, means, "to return to culture," or as Giles has it, "to enter the pale of civilization." Considering the fact that throughout her history China was surrounded by less cultured peoples, it has always been true that to become a Chinese has meant to become tamed and civilized.

I am by no means oblivious of the fact that militarism has always found its due quota of protagonists in China

and that it is the bane of the country today. During the very years when the philosophers were extolling the peaceful life the country was being devastated by ruinous wars. Chinese historians themselves estimate that no less than 1,400,000 soldiers lost their lives in the period of conflict that immediately preceded the unification of the empire under Ch'in Shih Huang. Yet, taking the whole course of Chinese history, it may be said that there were comparatively few wars of conquest, and almost none in which the rank and file of the people took any interest, or imagined that any useful ends could be gained thereby. Subject peoples were seldom exploited, and in general were granted a remarkably large measure of autonomy. The greatest cruelties in separation and losses of life took place, not in the boundaries of China proper, nor even in foreign countries, but in defence of the distant frontier. It is reasonable to assume that in regions unaffected by actual conflict life and commerce must have gone on just as they do to-day, in spite of the ubiquitous soldier and the truculent *tuchun.* Wars and rebellions there have always been; but what people have perceived more clearly the futility of force or preached more persistently the gospel of peace? Because the Chinese long ago emancipated themselves from illusions on this subject their artists have never revelled in paintings of battle scenes, nor have these ever been popular with the people, who (as Mr. Kung-pah King, the artist, tells us) prefer quiet landscapes which rest the mind; for to them there can be nothing, either quieting or restful, in the sight of men killing each other. War is brutalizing and degrading and subversive of the best instincts of the moral life.

The Chinese case against force is not merely a protest against wars and inharmonious social relationships, but against all government that does not derive its chief sanction as an ethical and moral obligation; ample proof, if proof were needed, that all Chinese life, whether ex-

pressed in literature, in art, in education, or in government, has ever been primarily conceived as a moral problem. Government by coercive regulations has always engendered in the minds of the Chinese the profoundest mistrust; not chiefly because it endangers personal liberty, but because, untempered by reason, it so easily puts force above the eternal principles of the moral law. As early as the sixth century B.C. we read of a certain minister, Shu-hsiang, of the kingdom of Chin, making an impassioned protest against the action of another feudal state casting its laws in bronze. He argued that written law would simply encourage meticulous litigation and emphasis on the letter at the cost of the spirit. In his opinion it would be better to adhere to the lofty example set by Wen Wang, who, as the Odes say, "took virtue as his guide and thus gradually pacified the four quarters of the world." This view enlisted the support of Confucius when he said: "If you govern the people by laws, and keep them in order by penalties, they will avoid penalties, yet lose their sense of shame. But if you govern them by your moral excellence, and keep them in order by your virtuous conduct, they will retain their sense of shame, and also live up to standard."

From this it is easy to see why the legal profession has never stood high in the estimation of the Chinese people, and why the importation of intricate political machinery from the West still impresses many of them as but a doubtful boon.

The law of the land evokes in the Chinese but little enthusiasm unless it can be shown that it conforms first of all to the eternal law of right. That is the reason, no doubt, why the government in promulgating laws has always been very careful to point out the reasonableness of those laws as their sole justification: that the obedience required is not obedience to a command but to a principle. The political anarchy which obtains in China to-day arises in part from a wide-spread conviction on

the part of the people that the existing order is not based on right, but on the whim of truculent individuals who have put might above right. Might may compel a measure of verbal obedience, but it cannot guarantee the allegiance of the mind and the heart. "The commander-in-chief of an army," said Confucius, "may be carried captive, but the convictions even of the meanest man cannot be taken from him." which is just what Su Tung-p'o said fifteen hundred years later: "Brute force may conquer an empire, but it cannot win over the hearts of the people." Hence in China for ages the appeal to the moral law has been effective when every other appeal has failed. The ordinary man lays claim to it when his rights as a citizen are invaded, the humblest laborer invokes it when his self-respect as a human being is flouted, and the wife asserts it when her dignity in the home is affronted.

It is not difficult to see why the Chinese get along so well under almost any kind of government. The reason is that they do not regard themselves as *under* the government but above it. When the law of the land breaks down they still have left to them the most binding authority of all, the authority of the moral law. As a matter of fact the law of the state, from most ancient times, was meant to apply primarily to those unruly citizens to whom the moral law could make no appeal, those who by their inability to receive instruction must be subjected to the sway of force. The so-called "superior man" of the classics recognized no law but the law of right; he was governed by *li,* which Mr. Lionel Giles has so aptly translated, "the law of inner control." Now, this concept has through the centuries become so attractive to the Chinese that no man, however obscure his station in life may be, is willing to be classed with these "inferior men" who can be led to do what is right only by compulsion.

Obviously a society based on such concepts will not

be orderly in the sense in which some European governments were orderly before the World War. That kind of order has never prevailed in China, and in the nature of the case never can, because her restraints do not come from without but are self-imposed. To a superficial observer China must appear as a country forever running on flat tires, always on the verge of dissolution. But those who know the inward nature and the power of her restraints are not likely to be so impressed. Peace derived by force may be called order, but it can hardly be called peace; for peace is not a gift from without, but an achievement from within. It can come only when each man's sense of right has been duly considered and reasonably satisfied.

Recently, when I was discussing national traits with a cultured Chinese living in the interior of China, he ventured the following generalization: "Westerners put law first and right second, Chinese put right first and law second." However sweeping that generalization may be, there is very little reason to doubt that this gentleman voiced the conviction of the great majority of his countrymen who have had anything to do with the people of the West. The opinion has gotten abroad that the anxiety of the Westerner to accomplish results has made him oblivious of the rights of personality; whereas the overwhelming emphasis in Chinese thought is on personality rather than on material conquest or political organization. When the Chinese speak of our "putting law first," they have in mind also the summary way in which we too often lump varied and complicated human problems under a few stereotyped and ready-made categories —another way in which personality is sacrificed to the interests of speed and efficiency. Long experience in social relations has given them a keen sense of the complexity of human nature, and the impossibility of reducing the contingencies of human intercourse to universally valid precepts. The application of an abstract principle to all

alike, regardless of extenuating circumstances, seems to them as unreasonable as it is unjust. It is easy enough to appeal to rule or to precedent, but to weigh the circumstances which alter cases, requires infinite patience, and a fine perception of what is right in human relations. In neither of these qualities has the Westerner disciplined himself as have most Orientals, who are quite sure that lack of patience must blur one's sense of right; and preoccupation with abstract ideas of justice must make it difficult to carry out those ideas in concrete situations.

Respect for personality is regarded by the Chinese as the most indispensable of all virtues. And to deny to another his self-esteem is to inflict on him a wrong greater than any other he can possibly inflict on you. Who has mingled intimately with the people and not heard them say repeatedly, "Never injure friendly feelings face to face." Or, "It takes little time to administer a rebuke, but it takes a long time to forget it." It matters not how sound may be the lesson one has to impart, one still may not do it in a way destined to ruin the self-respect which belongs to every man, not by virtue of his rank in society, but by virtue of his standing as a man and not as a thing. How men shall get along amicably with each other is a primary problem in morality, and one to which the Chinese have devoted much thought. To throw sand into the gearing of human intercourse is reprehensible even when done in the name of truth; for we have the duty, not only of telling the truth, but another duty like unto it, of making the truth lovely. In the judgment of the Chinese the latter is no less imperative than the former, for the reason that the harm done through rudeness is quite as pernicious as the harm done through insincerity. Almost any Chinese schoolboy is familiar with the prudential maxims which Chu Hsi, the twelfth century philosopher, wrote out for the guidance of the young. One of these reads: "When you hear that someone has done a wrong, or a servant has com-

mitted an offense, it is your duty to keep quiet for the time being and not burst out with the matter in a fit of anger. At a later time you may quietly remind him of it, so that once aware of his error, he may accomplish his own reform." For, says the maxim, "When you begin to quarrel about a matter, how do you know that you are not in the wrong?"

What Robert Morrison, the first Protestant missionary to China, wrote in 1817 is as true to-day as it was a century ago:

> The Chinese teach contempt of the rude instead of fighting with them. And the man who unreasonably insults another has public opinion against him, whilst he who bears and despises the affront is esteemed. . . They have no conception of that sullen notion of honour that would lead a man to prefer being shot, or shooting somebody else, rather than explain and prove the truth and reasonableness of his words and actions. A Chinese would stand and reason with a man when an Englishman would knock him down or an Italian stab him. It is needless to say which is the more rational mode of proceeding. To a person placed on the Eastern verge of the Asiatic Continent, who hears little of the nations of Europe but the distant rumour of their perpetual wars, with all their advantages, they appear still as rancorous against each other as if they possessed no great principles of equity and justice to appeal to, or were too selfish and barbarous to do so.

Chinese indirection, and the whole theory of "face" which Westerners so frequently misinterpret in terms of insincerity, is based, more often than not, simply on a desire to smooth the path of social relations; to disarm Truth, and relieve her of those angularities which involve so many of her defenders either in ruin or in defeat and humiliation. For that reason, questions which are liable to disturb friendship are commonly broached and ultimately settled through the mediation of a third person, so that however they may be solved, existing friendly relations may go on unimpaired. Intelligent Chinese of course realize as well as Westerners do that the practice of indirection may be abused to the point of insincerity, but they realize even more keenly than West-

erners do that straightforwardness degenerates just as easily into rudeness. These devices of accommodation which have been invented by ancient and highly compact social groups are very difficult for peoples who live in the comparatively new and sparsely settled countries of the West to understand and to assess at their true value. Centuries of discipline in close human contact has evidently convinced the Chinese people that life after all is better organized on a basis of mutual accommodation than on mutual extermination. They believe that in any case it is preferable to arrive at some *modus vivendi;* for though you may not need your neighbor to-day, you will need his good-will, if not his actual assistance, to-morrow.

Perhaps the truth that Occidentals find it most difficult of all truths to bear in mind is the one that yielding is not necessarily an indication of weakness, but is just as often a proof of strength. Those passive virtues enjoined in the Sermon on the Mount, which Westerners have found so difficult either to interpret or to practise, have long been observed in the East; not necessarily from a sense of duty, but from a genuine belief in their wisdom and their practicability.

The history of China is crowded with the names of great men who willingly gave their lives in the cause of right and duty. But there are the names of others who deemed it more heroic not to die, because the causes they were asked to fight for were not worth the price. One thinks of the remarkable blend of courage and forbearance exhibited in the life of Lin Hsiang-ju, one of the great names of the Chou dynasty. He not only succeeded by rare diplomatic skill and personal daring in retaining for the kingdom of Chao the priceless jade emblem which the Prince of Ch'in endeavored by false promises to wrest from him; but declined to endanger the existence of his own state by taking cognizance of the insult and calumny heaped upon him by jealous and

unscrupulous rivals. It was in reference to him that Szuma Ch'ien wrote: "There is no difficulty in merely dying; the difficulty lies in dying at fitting junctures only." Lin Hsiang-ju "forbore to risk death in the wrong cause," and thereby "gained for himself a name which shall endure forever. Verily wisdom and courage were well combined in that man."

It is unfortunate that there has so long persisted in the West so fundamental a misconception of the spirit of Chinese culture that eminent statesmen and literary men could think of China only in terms of national ineptitude and decay. Too often they have depicted her in language not far different from that in which Taine characterized the Byzantine empire, "a gigantic mouldiness lasting a thousand years." Even Macaulay lent the weight of his great influence when he said: "It took Europe a thousand years of barbarism to escape the fate of China." But those who know China best are most at a loss to comprehend what fate was meant, especially in view of the cataclysmic woes that have overtaken Europe in recent years. If the big stick counts more than the soft voice, the angry fist more than the smiling face, and the language of force is more potent than the language of reason—then China is indeed weak. But if respect for personality and the moral law be strength; and if toleration of others, and enjoyment of literature and the arts of peace be strength—then even age-old China may lay claim to a substantial share of that good.

It remains for the future historian to analyze the causal connection between China's pacific ideas and her national perpetuity. The will to peace is China's greatest heritage, and it may prove to be her greatest contribution to the life of a distracted world. The tomb-builders of Egypt and the armies of Rome failed in their attempts to achieve perpetuity by sheer physical prowess; and there is no assurance that the mechanism and the might of the so-called great "powers" will succeed where that

of Egypt and Rome failed. "In archery," said Confucius, "we have something like the way of the superior man. When the archer misses the center of the target, he turns around and seeks for the cause of the failure in himself." As with individuals so with nations, their persistence and their decay, their rise and their fall, must be attributed to causes within them and not without them. Those which lived did so because they had the seeds of life in them; those which perished did so, not because others were too strong, but because they were too weak. Before the late war there were peoples that worried needlessly about a mythical "yellow peril." But they needed not to look so far; the madness of their own rulers was all that was required to compass their ruin.

CASE FOR CHINA[10]

The basis of the civilizations of the Orient and the Occident is about the same. If we study those civilizations closely we discover that they have even passed through similar stages of evolution, although one, for several reasons, has progressed more rapidly than the other. The renaissance of Europe, occasioned by an influx of learning from neighboring lands of older and higher culture, has long since come and gone; while China's renaissance is just beginning. China's immediate neighbors, except India, have never possessed a high civilization, and she has therefore of necessity followed an independent and slower course of evolution.

Let us now compare briefly the historical stages of development of European and Chinese civilization. Europe's civilization goes back to ancient Egypt, ancient Greece, and ancient Rome. Later still, contact with Arab culture and a reflux of Græco-Latin culture from By-

[10] From article by Y. P. Tsai, Rector of the University of Peking; formerly Minister of Public Instruction in China. *Living Age*. 321: 739-44. April 19, 1924.

zantium produced the Renaissance. Since then the constant progress of the arts and sciences has created what we call modern civilization.

China likewise can trace her civilization back to remote antiquity. Between the twenty-seventh century and the twelfth century B.C. she already practised agriculture and the industrial arts, possessed an extensive commerce, and maintained settled political and social institutions, such as a feudal system, elective rulers, regularly promulgated laws, and public schools. Her people knew something of astronomy and medicine. They had developed music, sculpture, and painting. In respect to cultural progress, the China of that period may be compared with ancient Egypt.

From the twelfth century to the third century B.C. was the classical period of China's civilization. Not only were her political and administrative institutions fully formed, but she had evolved a precise and detailed code of manners, governing even the fashion of eating, drinking, dressing, attending the sick, and burying the dead. Something was known of geology and chemistry. Technical works were written upon mining, metallurgy, goldworking, dyeing, the manufacture of porcelain, and the textile industry. Education was organized from the primary school to the university. A prudent system of personal hygiene was inculcated. Musical rhythm, color harmony, the selection of patterns and materials for fabrics, were all governed by rules recognized in the beaux arts of to-day.

Turning to the domain of the intellect, our philosopher Ki Tzu considered fire, water, wood, metal, and the earth the five natural elements, as did the philosopher Empedocles. Confucius, who codified our rules of conduct, used the dialogue as a pedagogical instrument in the same manner as Socrates. Lao Tzu and Chuang Tzu both deduced from metaphysics rules for the conduct of everyday life, as did Plato. Mai Tzu taught mathemat-

ics, physics, logic, politics, and ethics, much as did Aristotle. It was an age enriched by many other great thinkers—philosophers or lawmakers—who recall not unworthily the philosophers and jurists of Greece and Rome, who were their contemporaries.

During the first century of the Christian era, Buddhism reached China from India. This Hindu doctrine had many points in common with the metaphysics of Lao Tzu and Chuang Tzu, but it far surpassed the teachings of the latter in profundity, and quickly won a large number of adherents. During this period Buddhist works, translated from Hindu or written by Chinese Buddhist scholars, multiplied until they formed a literature in themselves. Several new sects branched off from this movement, so that the history of Chinese thought during that era is possibly more interesting than the period of Neo-Platonism in Europe.

Between the eleventh and seventeenth centuries A.D. the followers of Confucius developed the native doctrines of China with the aid of Indian philosophy. Their stern, severe, and rigorous discipline resembled that of the Stoics. Their subtlety and depth of thought allied them with the scholastic philosophers. On the whole, this period may be said to correspond with the Middle Ages in Europe.

Beginning with the eighteenth century, Chinese scholars began to interest themselves widely in the origin of language, and in history and archæology. Their methods were identical with those used by European savants. This constituted the dawn of the renaissance in my country; but as the natural sciences were still unknown, the field of intellectual interest was still narrow. It is only within the last thirty years that China's scholars, educated in their own country or in Europe or America, have brought contemporary European culture to their country. This has wrought a revolutionary change in our ways of thinking, comparable with that which followed—nearly

twenty centuries ago—the introduction of Hindu philosophy. We have been affected as Europe was by its contact with Arab civilization. We are still in the first stages of a Chinese renaissance.

At the present time not only our intellectual leaders, but our merchants and manufacturers—in a word, all the thinking classes of the nation—are busily mastering Western thought and revising and amending our ancient doctrines and arts, so as to accommodate them to the present age.

I shall now proceed to examine some of the fundamental ideas upon which Chinese civilization has been based through our long history of five thousand years. We shall see that this civilization harmonizes remarkably well with the civilization of Europe, and that in a not distant future Chinese and Europeans will discover how many substantial intellectual and moral ties bind them together.

The first of these is democracy. According to Mencius, one of our most brilliant philosophers, it was the custom in the twenty-fourth century B.C. for the successors to the throne, after being nominated by the titular sovereign, to be approved by the people. According to Ki Tzu, a philosopher of the twelfth century B.C., the ancient sovereigns before making any important decision consulted not only their ministers but also the whole body of citizens. In the same century a kind of referendum was already in use. The emperors expressed this by saying: "Heaven looks through the eyes of our subjects, and hears through their ears." In other words, they declared that the will of the people was supreme. The philosopher Mencius also said: "The people are more important than the sovereign," and "When the sovereign wishes to bestow an office upon a person, it is essential that that person be first judged suitable for that office by the people; and if the emperor wishes to punish a person, that person must first be adjudged guilty by the

people." Monarchs and public officials have always been ranked in China by their popularity among the commons.

The nobility, which resembled the Roman patriciate and for a time gathered political power into its hands, was attacked in the sixth century B.C. by Confucius and by Mai Tzu. Two hundred years later its prestige and privileges had largely disappeared, and in the third century B.C. it vanished entirely. Since that date every officer of the State, every functionary, has been either elected by the people or selected by the Government through competitive examinations. These democratic traditions explain why the reformers of 1911 were able to overthrow the Empire and found a republic with such ease.

Let us now turn to internationalism. Chinese rulers of the twenty-fourth century B.C. are consistently described by historians as pacifiers of nations. Confucius divides political evolution into three stages: in the first period, only the citizens of one country are considered as members of the same family, and the citizens of all other countries are regarded as strangers; in the second period, the citizens of civilized countries are looked upon as members of one family, and only savages are considered strangers; in the third period, all savages have been civilized, all the world has become wise, and everybody is regarded as a member of one great family. That is what Confucius calls "the epoch of the great peace"—the Age of Gold.

Yang Chu, one of the most brilliant disciples of Confucius, has developed the ideas of his master in his book called *Tachio*—The Great Study. After discussing and analyzing the principles of government, he indicates those policies that most conduce to the pacification of the world. There is not in the whole history of Chinese philosophy and political writing a single thinker who preaches chauvinism.

Let us now pass to a comparatively modern movement in the West—pacifism and antimilitarism. Since patriotism in the narrow, sectional, and racial sense of the word was never taught by our ancient philosophers, they naturally condemned acts of aggression, policies of conquest, and what we call imperialism. Without exception they preached the doctrine that true conquest consists in civilizing other nations through moral agencies. Our historians relate an interesting anecdote that illustrates this. In the twenty-third century B.C., during the Yu Dynasty, the land of Yomiao, whose people were primitive and savage, refused to pay homage to the Emperor. Soldiers were sent to subdue them, but they resisted. Thereupon the Emperor Yu recalled his troops and began to perfect his institutions at home. Not long after that, the historians tell us, the people of Yomiao voluntarily made their submission.

Let us next consider Communism and relations between classes. Antagonism between capital and labor is one of the most serious problems of our epoch. The Russian Revolution sent a thrill of fear through the entire world. Some people think that China will follow in the footsteps of the Bolsheviki. Let me hasten to say that a "terror," whether it be red, white, or any other color, has little chance of finding favor among the Chinese. We did, at one time, have a Communism of a much pleasanter kind in China. According to the philosopher Mencius and later historians, private property in land did not exist in China from the twentieth century to the fourth century B.C. All land belonged to the State. It was divided into tracts of nine hundred mus, equivalent to about 125,000 acres. Each of these tracts was subdivided into nine smaller tracts of one hundred mus, of which one was cultivated directly for the profit of the Government, and the others distributed to eight families or clans. Each family tilled its own land, and all joined together to till the land belonging to the State. When a

citizen became twenty years old he received a holding, which he returned to the Government when he reached the age of sixty. Those below the age of twenty and above the age of sixty were supported by the State. Efforts were made to restore this system in the first, fifth, and eleventh centuries A.D., but without success, yet even to-day it has many partisans, especially among the educated classes.

There is a very old adage in China which says: "If a man does not labor, one person goes hungry; if a woman does not spin, one person goes cold." To work is the duty of every citizen.

Throughout the whole philosophy of China the principle is recognized that excessive wealth and excessive poverty are wrong. Primo-geniture does not exist. The estates of the parents invariably descend equally to all the children. Thus great fortunes are subdivided within a few generations. Immemorial custom requires the rich to maintain their needly relatives and friends, to assist them to earn their own living, to establish charitable foundations, such as setting aside land the revenue of which shall be used to support the aged and the poor, to found free schools, hospitals, and orphanages, and in some cases to build bridges and highways, and to erect shelters for travelers.

In China the wealthy usually live almost as simply as the poor. For that reason the poor have seldom hated the rich. Although within the last dozen years or so great corporations and modern industrial establishments have grown up in China, the antagonism between capital and labor is not as yet strong. Measures developed in Europe and America for the protection of the working people are being adopted, and most of the new corporations are owned by a great number of shareholders. A concentration of capital in the hands of a few great magnates is hardly to be feared.

If we are to have Communism in China, it will be a

pacific Communism, without the relentless class-struggle preached by Karl Marx.

The last fundamental principle common to Chinese and to modern European civilization is liberty of conscience. The philosopher Aristotle praised in his day "the golden mean." But his doctrine was not generally applied in Europe, although it was taught by Confucius, whose grandson wrote a work upon that very topic, "the golden mean," neither too much nor too little, the point where opposites harmonize. The general acceptance of this doctrine explains why China has never had religious wars, although Europe has been drenched in blood because of them.

Our most ancient religion is ancestor worship. This was developed and rationalized by the Confucian school, becoming a positive cult without any alloy of superstition. It is based wholly on respect for the memory of one's ancestors, and in its positive aspect resembles closely the humanist religion of Auguste Comte.

Instead of exaggerating differences of doctrine, China's thinkers have always sought to harmonize them—for love of harmony is the very soul of Chinese thought. Liberty of conscience and liberty of worship were universally recognized in China long before they were inscribed among the political institutions of the West.

UNCHANGING CHINESE [11]

Westerners commonly believe that China's civilization, though it goes back farther perhaps than that of any other people, was at some date suddenly arrested; that China has been asleep for centuries and is unable to advance further. Our people assume this so unquestioningly, that they use it to justify their covetous projects. They ask, what reward is too great for the nation that

[11] From article by Marcel Rouff, reprinted from Mercure de France. *Living Age.* 312: 379-80. February 18, 1922.

takes these Chinese under its wings and galvanizes them into a new era of progress? Isn't it our duty to bring this dead culture the blessing of our vital, progressive civilization?

But is the premise correct? If it were true that China's civilization, having reached its apogee, had been suddenly immobilized, it would be a unique and miraculous fact in history. This would prove the Chinese an exceptional nation, whose evolution varies from that of every other. It has been an invariable law of human experience that when a race or civilization reaches its culminating point—that is to say, when it ceases to progress, it begins to decline, and eventually becomes extinct. That was the fate of Assyria, Persia, Egypt, Greece, and Rome, and that is perhaps the destiny to-day facing Europe. Many believe they already see the fearful symptoms of her approaching decline, and think the year 1914 was the terminal point of her ascent. But Chinese civilization has survived all these dead civilizations! That alone, we must admit, is significant. We are entitled to assume that such an anomaly is not a mere accident; that the civilizers of China were probably more intelligent and farseeing than the civilizers of nations already dead, and that they had a superior population to instruct. They disdained to employ their wisdom, science, and genius perfecting—that is to say, complicating—the material civilization of the people they were fashioning. Instead, they formed in the commons a state of mind which enabled its possessors automatically to stabilize their development as soon as they had attained a form of life adapted to their racial needs and aspirations—at least before pushing their development to a point which they could not maintain. China is not dead. Her civilization is not stationary. She has simply created a culture and institutions perfectly accommodated to the sentiments and mentality of her people, pausing at the

relatively perfect, and thus escaping the perils of the absolute.

So China offers the world the unprecedented example of a nation wise enough not to be led astray by our stupidly standardized civilization, which after all merely touches the surface of our lives without promoting a parallel evolution of the soul; a civilization stupid, because it seeks to impose the same formula of progress upon the most diverse races without regard to their native character and qualities.

China teaches us an even more important lesson. Every civilization has a goal, a moving idea, an ideal toward which it strives. Without this, a group of human beings would remain a horde, intent solely upon securing for its members the means of existence. Now, if we except certain republics of ancient Greece, we can scan all history without discovering a single dead civilization which aspired to any higher ideal than material power and domination. The origin and development of every one of them was guided by imperialists. The citizen's life, industry, and thoughts, were merely raw materials for making conquests. The common people were compelled, by the spirit of their civilization and its institutions, to promote an excessive growth of the governing power which incarnated the nation. The conception of the state held by Louis XIV, by Napoleon, and above all by the modern Germans, is but the ripened fruit of the kind of civilization which has hitherto ruled the Western world.

China's civilization is essentially the opposite. Its sole and explicit purpose, its reason for existence, its vital force, the guiding thread in its unfolding and evolution, is happiness; that is to say, the only reality toward which the life of nations and of individuals consciously or unconsciously tends. The Chinaman does not seek that metaphysical and moral bliss with which we Westerners seek to solace our miseries, nor that abstract social

welfare which brings such futile relief to individual suffering; nor yet the idea of concentrating all sources of happiness in a reigning house or a governing class, from the contemplation of whose felicity its suffering subjects are supposed to derive consolation for their own distress and privation. No! Chinese civilization takes as its standard the happiness of the individual—everyday happiness—something commonplace and tangible, the happiness of common wear.

SPIRIT OF CHINA[12]

The cultural and spiritual inheritance of the Chinese is a grand and noble one. We all know of Lao-tze, of Confucius, of Mencius, but very few of us know of the great men China has had besides these; men of character, of vision, with power in their hands to raise the fate of a nation; lovers of peace and learning, great artists, great scholars, great poets, great thinkers and devotees, men who set the example of Beauty in life and thought to the millions who looked up to them. A remembrance of these men exists even in this day in the legends of the story-teller, passed around from mouth to mouth among the people—like the legend, to mention only one, of the Emperor Wu Ti, who, being a great devotee, would come to a certain hill in the city and change his imperial robes for those of a monk, when he would repeat the *sutras* to the assembled populace. At one time, the story goes, heaven was so pleased with his act, that it sent him a shower of flowers, which turned to stone on reaching the ground; and to this day people point to the holy spot—Yu Hwa Tai, the Hill of Raining Flowers.

Poesy among the people is inborn. The stories that have come down to us from China's glorious days tell us forcibly of the power of imagery that is inherent in the nation. Chin Shi Hwang Ti, a northern emperor reign-

[12] From article by A. Horne. *Theosophist.* 46: 167-9. November, 1924.

ing several years before Christ, led a triumphal procession of horsemen, bannermen, and imperial treasure, through the length and breadth of the land, and finally came to a halt, hundreds of miles from his northern plains, on the banks of the Yangtse. As he looked across the broad expanse of yellow water, over to the city of Nanking, on the other side, he saw the undulating form of a range of mountains, which to his imagination, presented the shape of a huge Dragon: its head a hill on the west, two paws taking the shape of hills north and south; the city itself sat on its neck. A thin mist, the breath of the Dragon, overhung its peak. He clearly saw that if the city were to become his, there was only one thing to be done. Building numerous rafts, his whole army was ferried across, and, summoning the people of the countryside, he made them dig a large canal through the city, thus severing the head from the body of the Dragon. And Nanking became his. Through all these centuries the story has been handed down from generation to generation, showing how poetic ideas catch the imagination of the people.

And Love? Love in China finds its highest expression in filial piety, a fact that has become proverbial even in Western lands. China has been called a land of ancestor-worshippers. Literally, it may be true, but the phrase savours too much of idolatry; it suggests too much of kowtowing to the shades of the departed for the mere sake of material benefits. If I judge the temper of the nation right, the term does not do adequate justice to the spirit in which ancestor-worship is carried on. Rather does it seem to me to be more in the nature of a form of respect paid to those whose souls still live; in another sense it is perpetuating the memory of those who are physically no longer visible. It is a manifestation of filial piety, rather than a religious ceremonial in the exact sense of the term—a form of self-expression for a nation whose ideas of individuality, solidarity, are centered in the family unit.

CHINA TODAY

CHINA OF TODAY [1]

Area and Population

In area China is larger than Europe and nearly as large as the United States and Mexico combined. It extends from a latitude comparable with that of the southern end of Hudson Bay in Canada to that of Mexico City. In latitude Peking corresponds with Philadelphia, Shanghai with Mobile, and Canton with Havana, Cuba.

China's population (about 444,000,000) is almost equal to that of Europe, six times that of South America, and is about one-fourth of the population of the world. Six-sevenths of China's population is concentrated in one-third of its territory, owing mainly to lack of railways. The country is not over-populated, but its population is badly distributed. The Yangtze Valley has an estimated population of 200,000,000. The Yangtze delta, equal in area to the State of Illinois, has an estimated population of 40,000,000, or about 800 to the square mile.

Shanghai, at the mouth of the Yangtze River, is China's most populous city. During the past few decades its population has increased from 500,000 to 2,000,000. In tonnage entries, Shanghai ranks among the first eight ports of the world.

[1] From pamphlet, *Salient Facts Concerning China*, by Julean Arnold. United States. Bureau of Foreign and Domestic Commerce, 1927.

Foreign Trade

China's foreign trade increased from 158,000,000 taels in 1880 to 844,000,000 taels in 1910 and 1,700,000,000 taels in 1925. In spite of China's internal disorders, trade and industry continue to make substantial progress.

Of the Maritime Customs revenues collected in 1925, Shanghai contributed 37 per cent, Tientsin 12 per cent, Dairen 9 per cent, Hankow 8 per cent, Tsingtao 4 per cent, and Canton 4 per cent.

China's exports for 1925 aggregated 775,000,000 taels ($650,000,000), with raw silk representing 20 per cent, beans and bean products 18 per cent, raw cotton 4 per cent, skins, hides, and furs 4 per cent, and peanuts and peanut products 3 per cent. In 1925 America took about 25 per cent of China's exports.

According to the Chinese customs statistics, in 1910 the United States had 5 per cent of China's import trade and 8 per cent of its export trade, whereas for 1925 the customs statistics credited the United States with 15 per cent of China's imports and 18 per cent of its exports.

Economic Development

China needs about 100,000 miles of railways to take care of its pressing transportation requirements; it has 7,700 miles as compared to America's 265,000 miles. The Chinese Government owns and operates about 60 per cent of the country's railway mileage.

China has 11,800 post offices, 31,000 miles of telegraph wire, and about 100,000 telephones. The United States as 51,000 post offices, 1,850,000 miles of telegraph wire, and 15,000,000 telephones.

There are only 20,000 motor vehicles in operation in China, compared with upwards of 20,000,000 in the United States. China has but 10,000 miles of roads fit for motor transportation compared with America's 400,000 miles of metal-surfaced roads. The good-roads movement in China is growing in popularity.

China's coal output in 1925 was about 25,000,000 tons, compared with America's 585,000,000 tons. Coal deposits are to be found in every Province in China, but increased production depends upon improved transportation facilities.

China is rich in tin and antimony deposits, supplying 75 per cent of the world's antimony consumption.

China has 3,500,000 cotton spindles, compared with Japan's 5,300,000, America's 35,000,000, and England's 57,000,000. In cotton production China ranks third among the nations of the world, with about 2,500,000 bales, the equivalent of 20 per cent of the American crop.

Public Debt

Outstanding obligations of the Ministry of Finance, calculated to January 1, 1926, are as follows (in Chinese silver, $1 of which is equal to approximately $0.50 U.S. gold): Secured foreign, $811,000,000; secured domestic, $196,000,000; unsecured foreign, $405,000,000; unsecured domestic, $260,000,000. The obligations of the Ministry of Communications (September, 1925) consist of debts, the service on which can be met by revenues derived from securities for the time being, and amount to $229,000,000 in foreign obligations and $39,300,000 domestic. Debts owed by the Chinese Government to American creditors are approximately $30,000,000 gold, all of which are inadequately secured.

STATISTICS RELATING TO PROVINCES[2]

The following table gives certain essential data concerning the Provinces of China:

Province	Area in square miles	Population according to Chinese Post Office estimate, 1922	Population per square mile	Capital of Province
Anhwei	54,826	19,850,000	362	Anking
Chekiang	36,680	22,000,000	601	Hangchow
Chihli	115,830	34,200,000	295	Paotingfu
Fukien	46,332	13,200,000	284	Foochow
Honan	67,954	30,850,000	454	Kaifeng
Hunan	83,398	28,450,000	341	Changsha
Hupeh	71,428	27,150,000	380	Wuchang
Kansu	125,483	6,000,000	47	Lanchowfu
Kiangsi	69,498	24,500,000	352	Nanchang
Kiangsu	38,610	33,800,000	875	Nanking
Kwangsi	77,220	12,250,000	159	Kweilin
Kwangtung	100,000	37,150,000	372	Canton
Kweichow	67,182	11,100,000	167	Kweiyang
Shansi	81,853	11,000,000	134	Taiyuanfu
Shantung	55,984	30,800,000	552	Tsinan
Shensi	75,290	9,450,000	125	Sianfu
Szechwan	218,533	49,800,000	228	Chengtu
Yunnan	146,714	9,850,000	67	Yunnanfu
Shengking (Manchuria) Kirin (Manchuria) Heilungkiang (Manchuria)	363,700	22,100,000	61	Mukden Kirin Tsitsihar
Total	1,896,515	433,500,000	238	
Sinkiang	550,000	2,500,000	2	
Mongolia	1,370,000	2,500,000	2	Urga
Tibet (Chinese estimate)	465,000	6,500,000	14	Lhasa
Grand total	4,282,000	445,000,000	104	

[2] United States. Bureau of Foreign and Domestic Commerce. *China: a Commercial and Industrial Handbook.* Julean Arnold. p. 3. 1926.

The figures pertaining to area and population as given in the foregoing table are taken from the Chinese Post Office estimates of 1922. Where these figures conflict with estimates given elsewhere, the reader is at liberty to make his own choice—for China has as yet taken no official census.

POLITICAL INSTABILITY NO BAR TO PROGRESS[3]

There is no more striking example of China's ability to progress in the face of what appears to be insurmountable obstacles than the developments in the past few years in Canton. The contrast between the Canton of to-day and of seven years ago is striking enough when it is considered that this remarkable development took place within the remarkably short space of seven years, but it is even more startling when it is understood that those seven years represented the most stormy period of Canton's history—years of civil war and strife, extending from the city itself to all parts of the neighboring provinces. A well-known British correspondant has given the following description of this striking contrast:

> The old city of Canton, covering 1½ square miles, was nearly all the same—low buildings setting tight to the ground, packed so close that the people could hardly move and inhabited to the last degree of density. Such Canton had been for centuries and such were the conservatism and prejudices and customs of the people that it seemed as if it must continue for ages to come. [This was the Canton of seven years ago.] Today Canton is a modern city of broad streets and lofty buildings, a European capital. It is lit by electricity and hundreds of motor cars serve its citizens. The ancient muddy foreshore of the river is replaced by a masonry bund backed by imposing edifices, one a hotel that rises to 13 stories, with many other structures in proportion. The police are smart and efficient, trimly dressed in khaki. The open bazars have become modern shops fitted with plate glass and having all the elegancies of the American

[3] From pamphlet, *Changing Factors in the Economic Life of China*, by John H. Nelson. p. 9. United States. Bureau of Foreign and Domestic Commerce. Trade Information Bulletin no. 312. 1925.

store. There used to be a thousand temples in Canton gorgeously tiled and colored—all are gone but a few, ruthlessly demolished to make way for the new streets, or sold up for the maintenance of the new regime which has walked roughshod over the traditions of the past. It is impossible to estimate the cost of all this new work, but it must have amounted to scores of millions of dollars. Probably every new building contains foreign material of some kind—steel beams, windows, electric, sanitary and other fittings, nails, screws, paint, etc. The amount of imported goods absorbed by Canton during the building period must have been very great and is so proved by the customs figures, which have doubled within the last five years. It is stated that $120,000,000 was extracted from Canton last year by oppressive taxation, of which only $3,000,000 was spent on the city.

CHINESE UPHEAVAL[4]

What is the cause of the unrest in China? Various answers have been given—Soviet propaganda, sweatshop conditions in foreign-controlled factories, shooting of Chinese in Shanghai, political interference by other Governments, anti-foreign feeling, clashing ambitions of military chieftains, and so on. Doubtless all these have operated. No one of them however, could of itself account for the present upheaval. One may doubt whether all combined could do so. Deeper considerations are involved. The fundamental fact is that the vast mass of China's population, long stagnant and apathetic, is awakening. Stupendous forces have been operating upon that enormous aggregation of humanity, and a correspondingly stupendous transformation is taking place. No longer does the rest of the world confront a cringing, helpless China, but an aroused, alert, ambitious people. It is true that chaos still reigns. Such a huge mass could not reasonably be expected to find itself at once. But the old conditions never can be restored. For better or for worse China has entered upon a new era. It would be a mistake to interpret current events as merely anti-

[4]From article "Patience with China," by Arthur J. Brown, Presbyterian Board of Foreign Missions. *New York Times*, April 4, 1927.

foreign. They are pro-Chinese. It is a new spirit of nationalism that is abroad, and it is anti-foreign only in so far as foreign influences are believed to be hostile to it.

What is taking place in China is essentially what has taken place in varying degrees in Western nations. It is on a larger scale for two reasons. First, because a larger population is involved, 438 million people, one-quarter of the human race. Second, because revolutionary forces which operated upon Western nations one at a time are operating simultaneously upon the Chinese. In Western lands the intellectual revival which broke up the stagnation of the Middle Ages, widened men's knowledge and stimulated their minds occurred in the fourteenth and fifteenth centuries. The religious reformation which brought emancipation from ecclesiastical despotism, quickened men's spiritual faculties and taught them that they might have immediate access to God without the intervention of human priests occurred in the fifteenth and sixteenth centuries. The political revolution which upheaved the masses, gave rise to democracy and made the common man conscious of his rights occurred in the eighteenth century. The industrial revolution caused by labor-saving machinery, the invention of the steam engine, the telegraph, the telephone and other inventions and discoveries which brought about an enormous economic change, came in the nineteenth and twentieth centuries. Thus these revolutionary forces in Western lands were scattered through nearly five centuries, and the nations had time to adjust themselves to one force before another began to operate.

Now consider that all these revolutionary forces are operating at once in China. Is it any wonder that the upheaval is on a scale of unprecedented vastness? In other lands the first manifestations of such popular upheavals have nearly always been marked by turbulence. China is simply no exception to the common experience.

Lawless elements naturally take advantage of the uprising to loot and kill, as the revolutionists did in France. Russian agents are undoubtedly fanning the fires of discontent and anti-foreign feeling in the hope of strengthening their influence and embroiling China with "capitalistic" nations. But while they have won many converts to their program, China will not become Bolshevistic. Her leaders will utilize them as long as it serves their purpose to do so, and then will discard them.

VIEW OF CHINA[5]

On this anniversary of the first open clash in the struggle to establish a republican form of government in China, it is appropriate to ask ourselves what of progress and retrogression the past fifteen years have brought.

There has been a marked falling off of stability and orderliness in the life of the people and in the government. But there has been an equally marked growth of popular interest in political affairs and a striking increase in the number and variety of efforts to lay the foundations for a new and orderly national life.

Disruption has shown itself in many ways. The militarists and corrupt politicians have bled the national treasury dry, and have wrought such increasing havoc throughout the country that order and security of life and property seem almost to have ceased to exist and there is little authority except that which each petty commander chooses to exercise where his armies give him power.

In the early years of the Republic the railways were extended. They have since been almost ruined, and have become channels for spreading warfare instead of arteries to carry the commercial life-blood of the nation.

Government schools for a time prospered. But of

[5] From article by Grover Clark, editor "Peking Leader." *Living Age.* 322: 318-20. February 15, 1927.

late they have gone the way of most of the other proper constructive undertakings of the government—through abject poverty, close to complete annihilation.

Trade for a time boomed. But the quarrels and exactions of the militarists have made of commerce little more than the most strenuous efforts to supply the barest necessities.

These things have been glaringly in men's eyes. Yet they fall far short of telling the whole story of the fifteen years.

Instead of a few who were directly concerned because they were or hoped to be officials, hundreds of thousands now are beginning to take an interest in political affairs. Not the students only, but the merchants and the gentry also, are showing their growing feeling of responsibility by giving public expression to their views on many political questions.

Their voices frequently are hesitating and feeble, or loud in unwise ways. But they do speak, and what they say has had noticeable effect in some cases in influencing the actions of officials and militarists. This popular interest in and sense of responsibility for the management of the government must grow much beyond its present stage before anything like a real republic will be possible. But it already has grown to important proportions—and there can be no popular government without popular interest in governmental affairs.

One element in the growth of popular interest in politics has been the enormous increase in the number of newspapers, magazines and periodicals of all kinds. Many of these are corrupt or childish, or both. But year by year the standard has risen. Each year, too, has seen more periodicals which are unbuyable and which exercise sane and constructive leadership. Much remains to be done. But a beginning has been made.

The foundations of better things also are being laid in the field of education. Thousands of men have been

content to drudge away at inconspicuous and poorly paid work—and as a result millions more can read than ever before. Through various associations, much already has been done to lay the foundations for a primary and middle school system suited to China's needs. Already a single spoken as well as written language is being taught throughout the country. The private schools of all grades are growing in number, in attendance, and in efficiency. In education only a bare beginning has been made. But more and more men and women of the country are realizing that education is essential. Instead of leaving everything to the government, they are putting their own time and money into educational development.

The merchants are beginning to develop group self-consciousness and solidarity. They are beginning to see that the common prosperity of all depends on the prosperity of each line of business. So they are uniting in Chambers of Commerce instead of remaining disunited in separate guilds. They are realizing that the interests which bind them together throughout the whole country are much more important than the geographical or other divisions. So the National Chamber of Commerce and the National Bankers Association are gaining steadily in coherence and effectiveness. Here and there the merchants are beginning to refuse to submit unquestioningly to the demands of the militarists. Much development still is needed along these lines. But the development has begun.

Along with all these things—as both their cause and their effect—has come a truly notable growth of national self-consciousness. The increasing nationalist enthusiasm frequently has expressed itself unwisely. But the unwisdom has been mainly that of immaturity and lack of experience, not of selfishness or personal greed.

No people has ever reconstructed its political and social life or put its own house in order until the separate individuals awoke to group self-consciousness. If there

had been in the Chinese character neither seed nor soil from which national self-consciousness could spring, then the outlook would have been dark indeed; there would have been no hope of a great and useful future for China. But the seeds were there, and the soil in which they could grow.

The young sprouts of the new life cause disturbance and confusion as they break through the crust made hard by centuries of acquiescence. That is to be expected. But the onlooker who would see the whole picture should keep his eyes free enough from the dust of the disturbances to see that the new plant is there and growing.

No man can say what the immediate future will bring in China, nor what ultimate form her reborn life will take. But the developments of the past fifteen years—considering those which have gone on inconspicuously but no less steadily as well as those which have stormed across the surface—give reasonable promise for the future.

Meanwhile patience is needed—patience and untiring effort to encourage those movements which are constructive, and to help direct the vigor of the new life into useful channels.

FACTORS IN INTERNAL SITUATION[6]

Before the establishment of the Republic in China in 1912 the governmental system was a theoretical absolute monarchy with sole authority to make laws and appoint officials resting in the Emperor. This system was modified, however, by a long established custom which provided for the selection of prospective officials through a series of examinations in the Chinese classics. It was further modified by the practice that all the local affairs of the village communities, the crafts and commercial

[6] From *Foreign Policy Association. Information Service.* 2: 273-82. January 19, 1927.

guilds and the families were managed by the heads of these groups rather than by the government as such. The basic assumption was that the less the government had to do with the ordinary people, and the less the people with the government officials, the better for everybody concerned. In practice the governmental administration was little more than a tax collecting machine for the benefit of the rulers and the officials, with the taxes kept within well defined limits by long established customs.

When the Republic was started, an attempt was made to introduce a type of government based on fundamentally different political conceptions. The French form of government was followed, in the main, in the first constitution which was adopted by the Constitutional Convention at Nanking and formally promulgated on March 11, 1912 by Yuan Shih-kai, the first formal president. Although since that time there have been two other completed constitutions, the main outlines of the governmental system have been kept the same in all these documents.

According to these constitutions, the head of the government is the President, who is elected by Parliament. He is related to the administration as is the President of France, rather than the American President. The administration itself is in the hands of the Cabinet which theoretically is responsible to Parliament rather than to the President. Parliament consists of a Senate and a House of Representatives, the members of which theoretically are elected by the qualified popular vote in geographical districts.

This theoretical form, however, has never been followed. In practice, with the possible exception of the first election of Dr. Sun Yat-sen as provisional president and the first election of Yuan Shih-kai as substantive president (both early in 1912), the presidency has gone to the nominee of the man who had the dominant military authority in the Peking area or who succeeded to the

presidency from the vice-presidency. In some cases the form of election by Parliament has been followed, but even in these cases bribery and military coercion have played a dominant part.

In practice the cabinet has never been responsible to Parliament. The forty-odd cabinets in the main have been bodies made up of representatives of various military chieftains with the balance of power shifting in the cabinet as the military power shifted. In practice the various parliaments have never been elected by popular vote. The first formal parliament selected under the terms of the provisional constitution was chosen substantially by agreement among the Republican leaders. This parliament was dissolved by Yuan Shih-kai in the autumn of 1913 but refused to accept that dissolution as valid. Its members reassembled at various times subsequently and even in the summer of 1923 took it on themselves to draw up a new constitution and elect Tsao Kun president—the election taking place on October 8 and the new constitution being promulgated on October 10. This constitution was formally declared invalid by the provisional government which was established in November, 1924.

Meanwhile another parliament had been nominally elected, although in reality the members of this body were appointees of Yuan Shih-kai and in no sense represented the people of the districts from which they were supposed to come. This parliament drew up parts of another constitution including a presidential election law which stands today as the only generally constitutional document in China.

There have never been anything approaching popular elections in China, either in the national government or in the local administrations. Although the real succession of authority since the establishment of the Republic has depended on the possession of military power, the various administrations in Peking have been at some pains

to preserve the forms of legal continuity. Technically the provisional governments which lasted from November, 1924 to April, 1926 started with a frank break in this continuity but the formal legal succession was reestablished when Dr. W. W. Yen (who had been Premier under President Tsao Kun in October, 1924) resumed the premiership in May, 1926.

During the various times when there has been no President the cabinet has carried on, under provisions of the constitution, as a regency. This is the status of the administration in Peking at present. All the constitutions provide that such a regency shall not last for more than three months, within which time the cabinet shall reassemble parliament and provide for the election of a new president. This latter constitutional requirement has been ignored since April, 1926.

At the time of the establishment of the Republic Yuan Shih-kai, nominally acting under the Manchu emperor, was in substantial control of China through the group of military subordinates which he had built up. As long as he was alive the members of this group worked fairly well together under his leadership. When he died they began quarrelling among themselves for the position of dominance which Yuan had occupied. Out of that quarrel have developed most of the politico-military disturbances since 1916. Among the members of this group were Feng Kuo-chang, Hsu Shih-chang (both of whom later became presidents), Tuan Chi-jui (who became provisional chief executive in November, 1924). All of these men are now in complete retirement, with the possible exception of Tuan who is occasionally mentioned as a candidate for the presidency. As long as these men were in control they worked together to a certain extent in spite of occasional quarrels. Since they have passed off the stage, however, the new military leaders have lacked any common bond and disorganization and military disturbances have steadily increased.

The men who have come to the fore in recent years are in the main the former subordinates of one or another of these older leaders. The following descriptions, written for the *Information Service* by Grover Clark, editor and publisher of the *Peking Leader,* give a brief picture of the principal military leaders.

Chang Tso-lin, formerly a bandit chief who took part in the Russo-Japanese war on behalf of the Japanese, was one of the proteges of Hsu Shih-chang when the latter was Viceroy of Manchuria. When Hsu became president in 1918, Chang succeeded to the control of Manchuria and since that time has steadily increased his authority in that area. In 1920 he joined with Tsao Kun and his subordinate Wu Pei-fu in driving the "Anfu party," then headed by Tuan Chi-jui as Premier, from power in Peking. In 1922 Wu Pei-fu drove Chang Tso-lin from Peking. Shortly thereafter Chang declared the independence of his government in Manchuria. In 1925, following the defeat of Wu Pei-fu by Feng Yu-hsiang, Chang Tso-lin attempted to extend his power to the Yangtze valley. At present he is in control of the Peking area and Shantung province as well as in Manchuria.

Tsao Kun, who was elected President in October, 1923 first started his military career as a sergeant under Tuan Chi-jui. He attained his prominence chiefly through the ability and loyalty of his subordinate Wu Pei-fu. He is now in retirement not far from Peking, having formally resigned the presidency in November, 1924.

Wu Pei-fu, the only one of the northern generals who has received a real education, first came prominetly into the limelight in 1920 through his skill in the campaign to drive Tuan Chi-jui from Peking. Thereafter he rose rapidly in influence although he consistently maintained his loyalty to his superior Tsao Kun. From the spring of 1922 to the autumn of 1924, Wu Pei-fu was as nearly in complete control of China up to the Great Wall as any

man since Yuan Shih-kai's day. He met disaster when he attempted to push his authority into Manchuria. From that time on Wu's authority steadily decreased. His troops were driven from Hankow in the late spring of 1926. He now is in a small railway town not far south of Peking (Chengcheow, Honan province). His forces are completely disorganized and he himself has lost much of his vitality. In the recent reorganization of the government by Chang Tso-lin he was completely ignored. He fought with Chang Tso-lin in 1920, against Chang Tso-lin in 1922-24 and again with Chang Tso-lin in 1926.

Feng Yu-hsiang—the so-called Christian General—was associated with Wu Pei-fu from the time that Feng was a corporal and Wu was a captain in the regiment under the command of Tsao Kun. As Wu's authority increased, Feng's did also, although these two at no time were particularly friendly toward each other. When Wu launched his drive against Chang Tso-lin in the summer of 1924, he sent Feng into inner Mongolia in order to attack Chang in the flank. Feng declared that war was useless and, announcing his determination to preserve peace, made a forced march back to Peking, and on October 23, 1924, took control of the city, while Wu was at the front. Wu's forces immediately went to pieces. Feng called his army the Kuominchun (People's Army) and reiterated his determination to bring peace. He remained in control at Peking until May, 1926 when a combination of Wu Pei-fu and Chang Tso-lin forced him to withdraw into the far northwest. He is now reorganizing his forces in preparation for a drive into Peking in cooperation with the Cantonese forces from the Yangtze.

Sun Chuan-fang, formerly a subordinate of Wu Pei-fu, rose rapidly from the governorship of Chekiang province to control of the five lower Yangtze provinces: Kiangsu (in which Shanghai is located), Kiangsi, Chekiang, Anhui and Fukien. When the Cantonese drive toward the Yangtze started he refused either to help Wu

Pei-fu or to join definitely with the Cantonese. On May 29, 1926 he declared the independence of these five provinces. The Cantonese have pushed down the Yangtze and up the coast into his territory until now he has control of only part of Kiangsu province. He has definitely allied himself with Chang Tso-lin.

Sun Yat-sen for many years talked of organizing an army to unify China. His plan was to move north from Canton to the Yangtze valley and thence up to the Great Wall. It remained for Chang Kai-shek (a native of Chekiang province who is now still in his thirties) to provide the necessary organizing ability to carry out this dream. Chang with Russian help and advice built up a military academy at Canton (The Whangpoa Military School) and in the beginning of 1925 established the real authority of the Canton Government over Kwangtung and Kwangsi provinces. He then made a drive into the Yangtze beginning in the spring of 1926. He maintains very strict discipline among his troops and his soldiers are welcomed wherever they go because they have a reputation for keeping order and paying for everything which they take.

Since the Republic started most of the older and more astute politico-military leaders who were associated with Yuan Shih-kai have passed off the stage and their places in the North have been taken by young and on the whole less able leaders. On the other hand, the men who as enthusiastic and inexperienced youths played a prominent part in the movement in 1898 and again at the beginning of the Republic in 1911-12 are now older and considerably more experienced. A number of new men also have appeared in the southern group who are the equals of any of the northerners in political sagacity and administrative ability.

The consequence is that now, for the first time since the beginning of the Republic, the balance of ability and of political experience and administrative capacity is on

the side of the southerners rather than of the northerners. This is the first essentially new development in the situation in China in recent years and the fact that this balance of ability now has shifted is of great significance for the future of the Republic.

On the whole, the men connected with the South are more sincerely patriotic and disinterested in working for the betterment of China than the militarists in the North —although there are exceptions on both sides, of course. Popular opinion in China, too, today is very strongly on the side of the southerners.

Thus the politico-military situation in China today is in many respects fundamentally different from what it has been at any time previously since the beginning of the Republic.

WHAT CHINA FIGHTS FOR[1]

The movement for democracy in China was started by Liang Chi-chao, leading scholar of China, and Dr. Sun Yat-sen, then a young medical student in Hongkong, some thirty-five years ago. Liang Chi-chao stood for a struggle based on the principle of the slow evolutionary process of gradual change from an absolute monarchy to a limited monarchy, and finally to a democracy. Dr. Sun Yat-sen, on the other hand, stood for the principle of quick change. He preached the overthrow of the Manchu dynasty and the establishment of democracy as the sine qua non of progress in China.

Dr. Sun gathered round himself a group of young men and women, mostly students, and organized a secret society called the Tung Men Hui to prosecute the revolution. I can still remember in my own student days with what eagerness we read his secret revolutionary

[1] From article by T. Z. Koo, formerly in the administrative departments of the Chinese Railways; member of League's Second Opium Conference. *New York Times.* Section 8, p. 1. April 17, 1927.

literature and how our hearts thrilled at his call to rise and liberate the people from an effete monarchy.

Dr. Sun and his comrades started many unsuccessful rebellions against the Manchus between 1900 and 1910. Finally, in 1911, the great revolution came and forced the Manchus to abdicate after a struggle of a few months. The Republic of China was proclaimed on December 31, 1911, amid great rejoicing all over the country. Dr. Sun was elected the first President of the republic and his secret society, the Tung Men Hui, became the present Kuomingtang, or the Nationalist Party.

The great revolution of 1911, however, accomplished only a change in political labels. From a monarchy China became a republic in name. The real government of China was still carried on largely by officials and with methods reminiscent of the former Manchu régime. The reason for this was that the awakening process so far was confined almost exclusively to the educated classes. The masses had not been reached and so representative government lagged.

Following the establishment of the republic in 1911 the Nationalist movement came out into the open and began to make its way among the masses. Three fairly distinct stages in this process can be traced. During the early years of the republic, up to 1919, the Nationalist movement was confined largely to the student and more intelligent merchant classes of China. But from 1919 to 1925 the Nationalist movement entered its second stage, when the laboring classes of China were reached. Beginning in South China the tide of Nationalism spread steadily northward through the ranks of labor. From an incoherent mass, labor in China today has become a powerful group to be reckoned with in any national crisis.

The two events which stood out in this period as rallying points in the consciousness of labor were the seamen's strike of Hongkong in 1923, and the May 30

tragedy of Shanghai in 1925. Both events served to intensify the growing national consciousness of the Chinese people, particularly in the ranks of labor.

After the May 30 tragedy the Nationalist movement reached its third stage, when it entered another stratum of society, namely, the farm workers. During this past year farmers' unions have sprung up rapidly in South China, and the movement is spreading to other provinces wherever they come under the influence and authority of the National Government. It is yet too early to estimate the power and strength of this group when thoroughly awakened to a sense of nationhood, but any one with even a limited understanding of conditions in China will readily see the vast significance of this stage because the farm hands compose 80 per cent of our population.

The vital significance, then, of the first sixteen years of our history as a republic is not so much the development of democratic government but the infiltration of the ideas and ideals of the revolution into the consciousness of all classes of people in our country. We can, therefore, truly say that the Nationalist movement now embraces the whole country, from the borders of Siberia to Indo-China and from the Pacific Coast to the Tibetan passes. There is now a national urge among our people toward self-determination and self-expression, untrammeled by the shackles that other nations have fastened upon us in the past.

This national urge toward self-determination and self-expression is struggling toward three objectives. First, it is struggling toward the political unification of China under the authority of a national government based upon the will of the people. Second, it is struggling toward an economic life of the masses which shall be further removed from the starvation point than it is now. And lastly, it is struggling to regain its self-respect and a status of equality in the family of nations.

I shall explain briefly under each heading the program

and difficulties involved in the attainment of these objectives.

The Chinese people feel that the establishment of a national government in China based upon the will of the people is the prerequisite of any reconstruction work. This national government is to be organized around two kinds of powers, namely, the four political powers of the people and the five governmental powers of the administration. The political powers of the people include the power of election, the power of recall, the power of initiative and the power of referendum. Through these four political powers the people could check and control the Government.

The governmental powers are the executive, judiciary and legislative, which form the traditional divisions of government. To these Dr. Sun proposed to add two others. The first is the examinative power—that is, the power to hold examinations for all candidates for public office. The second is the power of impeachment. For more than two thousand years China has had a peculiar institution called the Board of Censors, which the late Professor Burgess has pointed out as one of the greatest institutions for the protection of human liberty against the encroachments of despotism. It is essentially an independent branch of the Government, having the duty and the right to impeach every Government official from the Emperor down to the lowest magistrate.

The establishment of such a national government will go through three successive stages. First, the military stage, which is the period when twenty-one provinces of China are to be brought under the authority of one government by military force if necessary. This is what is happening now in China, and the Nationalist armies have already succeeded in bringing under their control sixteen out of the twenty-one provinces.

The second stage, which will follow the military stage, is what Dr. Sun termed the training stage, when

the people of China will be made acquainted with the processes of popular government. Dr. Sun's plan was to send groups of instructors into all the centres of population in China to explain to the people the principles of democratic governmental organization and the duties of citizenship in order to prepare them for intelligent participation in the government of the country. The third stage will be the real democratic stage, when a government of the people, by the people and for the people will be established.

The main obstacle in the establishment of such a national government for the whole of China is the existence in the country of a group of military war lords, who have divided the country among themselves. These military war-lords were formerly Generals commanding armies under Yuan Shi-kai, but after Yuan's death they began to fight among themselves for power and territory. They seized the reins of the civil government and became feudal barons in the various provinces. The civil war now going on in China is for the purpose of eliminating these war lords. The task which still remains from a military point of view is the eliminating of Chang Tso-lin and his group. There is good reason to believe that this end will soon be accomplished if no outside interference is projected into the scene.

The question naturally arises here as to what is going to prevent the Nationalist Generals from becoming war lords themselves. This question has had the closest attention and study of the Nationalist Party and three methods have been proposed and adopted for checking such a tendency. Every Nationalist soldier, in addition to his military training, is carefully taught to place loyalty to State above loyalty to the commanding Generals and to regard the welfare of the people as being of primary consideration. Secondly, the rigid separation of civil and military authority is most jealously guarded. The Northern war lords became militarists because they

were able to seize the reins of civil government. Thirdly, the payment of the Nationalist soldier is made direct from the civil treasury and by civil authorities. The Northern war lords levy their own taxes and pay their soldiers. Therefore, when you remove a war lord you are removing the rice bowl of the soldier, but with the Nationalist armies the removal of the General does not affect the rice bowl of the soldier.

The second major objective is an economic one. China today is passing from an agricultural to an industrial stage and from the handicraft to the machine stage. This change is followed by all the manifestations of labor unrest and social changes which characterized the industrial revolution of the West. In this economic struggle we can trace two lines of development, one concerning labor and the other concerning the economic policy of the Nationalist Government. In the labor program three main features are observable. Laborers are demanding shorter working hours, higher wages and adequate protection against sickness, accidents, &c. As a British observer said after a careful study of the labor program in Hankow, the labor movement in China today is where the British labor movement was twenty years ago.

The economic policy of the Nationalist Government can be broadly stated as State encouragement in the development of the basic industries of the nation. These basic industries comprise four groups. They relate to the feeding of the people, the clothing of the people, the housing of the people, and transportation. Dr. Sun believed, for example, that in the food problem the State ought to encourage the production of more food throughout the country. In order to do this we need to improve our methods of fertilization and selection of seeds, and make provision for adequate marketing and transportation facilities for the movement of foodstuffs. It was Dr. Sun's belief that the Government should place at

the disposal of farmers expert knowledge and help in carrying out these measures. This will illustrate in a measure Dr. Sun's economic policy. It is not socialism nor communism. The initiative is not taken out of the hands of the people but the Government is expected to cooperate with the people in modernizing China's industries and placing her economic affairs on an efficient basis.

It is fortunate for American readers that Dr. Sun's economic policies are set forth in a book written in English entitled "The International Development of China." Those who have studied this book have been impressed by Dr. Sun's comprehensive understanding and statesmanlike analysis of the economic needs of China. His scheme of railways for China will undoubtedly form the basis of the future railroad system in our country.

People have often connected this present economic development in China with communism. Nothing was further from Dr. Sun's mind. As a matter of fact, Dr. Sun criticized severely Marxian economic and social theories, particularly in their call to class warfare. Dr. Sun believed that in order to develop the economic resources of China we need the cooperation of all classes of people and the employment of foreign capital and technical knowledge. While some of the native leaders in this economic program come from the Communist Party, even they realize that China is not ready for communism. They are preaching to the laborers not communism but nationalism—"China for the Chinese."

Communism cannot succeed in China. The Chinese people as a whole, because of many centuries of training in the doctrine of the "mean," have a natural aversion to all radical theories of social and economic organization. For 2,000 years every Chinese child has been taught the wisdom of walking in the middle of the road. The power of this principle is still so strong in Chinese life today that nothing short of an unthinkable

miracle would turn its 400,000,000 in a few years into such a radical economic experiment as communism.

Communism cannot succeed because there is insufficient wealth in China to "commune" with. As Dr. Sun very rightly said: "China's economic problem today is not the unequal distribution of wealth but the lack of wealth."

People make a great mistake in comparing the situation in China with that of Russia. China has very few rich men and millions upon millions who are living but a little above the starvation point. The land in China is already owned in small lots by most farmers, so the only wealth to distribute is that in the hands of the merchants and bankers of the larger cities. This very limited wealth when divided among millions of farmers and laborers would hardly bring a momentary relief.

The third major objective represents the struggle of our people toward a new relationship with Western nations on the basis of equality and mutual respect. During the past eighty years Western nations had taken from China, by force of arms, territories and special rights which they naturally wish to hold on to as long as possible. The Chinese people, on the other hand, now that they are conscious of their nationhood, desire passionately to take back these lost territories and special rights. Here, then, are the two basic forces underlying the international phase of our struggle. All thinking men will see that there can be no peace in the Far East until these two basic forces are somehow brought into a working relationship and satisfaction given to the Chinese people in this third objective.

The international phase of this struggle at present takes the form of a demand for the abrogation of the unilateral treaties and the negotiation of a new set of treaties on the basis of equality and mutual respect. There is another aspect of this problem not written in the treaties but which nevertheless adds an element of

poignancy to it, namely, the human aspect. For nearly half a century, Western nations, particularly those of the Continent of Europe, have assiduously labored to build up an impression of Nordic superiority in the East. This was done by an exhibition of brutal force, of arrogance and of social exclusiveness. The East has been long-suffering under this kind of treatment, but the European War finally shattered the myth of Western prestige. It is, therefore, not strange that in this present crisis in China a certain amount of feeling is exhibited against the foreigner in China. The marvel to me has been that this feeling so far has been so limited and restrained in its expression.

Clever propaganda in various parts of the world has tried its best to brand this phase of our struggle as anti-foreign. To the Chinese mind it has been nothing more nor less than an effort to recover what we know rightly to be ours. Opinion in China is divided as to the method of recovery. I have no doubt whatever moderate opinion on this point in China will prevail unless Western powers should blindly force us to believe otherwise.

Western nations profess to be extremely nervous and concerned about the extent of Russian influence in China. What are the facts in this case? Dr. Sun Yat-sen, representing the Nationalist movement, approached several powers for assistance in attaining our aspirations. He was rebuffed in every quarter. Finally, he turned to Russia. Whatever the Russians may entertain in their own hearts, they had the perspicacity to understand the Chinese Nationalist movement and to believe in its ultimate success. Why should they not help them and claim the credit of being China's only friend in this her hour of need? So far, Russian help is given mainly along two lines, namely, help in party organization and propaganda and a certain amount of ammunition and funds.

The chief danger in this situation lies in the spread of radical ideas among China's ignorant masses. China's

masses, because of their hard economic existence, offer a fertile field for radical propaganda. My own observation of conditions in several provinces, including Kwangtung, now under the Nationalist Government, leads me to believe, however, that there is a saving element even in this situation. Radicals have to eat just like other people. When the present economic order in China is disturbed to such an extent that productive enterprises become impossible, then radicalism will come to its senses.

This great struggle has been brewing for more than three-quarters of a century. At last something definite is beginning to emerge. With you this struggle may seem a very inconvenient thing, threatening your investments and opportunities for peaceful trade. With us it is a life and death struggle for ourselves and for our children's children. Their weal and woe for generations to come are being worked out now. I, therefore, venture to plead with you to have patience with us and to continue to give us your confidence.

POLITICAL PROGRAM OF KUOMINTANG[8]

I. Foreign Policies

1. The abolition of all treaties not based on the equality of both contracting parties. Under this head, extra-territoriality, the foreign-controlled customs duties, and all political rights which foreign nations now exercise in the country ought to be abolished, and new treaties, based on the principle of mutual recognition of sovereign rights to be concluded.

2. All nations which voluntarily relinquish their special rights mentioned and are willing to abrogate all

[8] Manifesto of January 21, 1924, issued from the National Convention of Kuomintang. English text published by the Executive Committee of Kuomintang Students League in Greater New York. *Foreign Policy Association. Information Service.* 2: 285-6 January 19, 1927.

treaties derogatory of China's sovereignty, China recognizes as most favored nations.

3. All other treaties which infringe upon the national interests of China ought to be reconsidered. During their reconsideration mutual respect for the sovereign rights of both contracting powers is to be recognized as the fundamental principle.

4. China's external debts ought, within the limits of political and industrial security, to be guaranteed and refunded.

5. All of China's external debts which have been negotiated by irresponsible governments, such as the Peking Government that came into power in October, 1923, and have not been used for the promotion of the people's welfare but for the maintenance of personal honors and offices, and the prosecution of civil wars, are unwarranted. The Chinese people are not responsible for the repayment of such debts.

6. A national convention to which professional groups of all provinces (such as Banking Associations and Chambers of Commerce) ought to be called in order to devise ways and means for the funding of China's external debts, thus enabling her to escape from the semi-dependent state into which she has been thrown.

II. Domestic Policies

1. We advocate neither extreme centralization nor extreme decentralization. A middle course between these two is to be preferred. All that concerns the nation at large ought properly to belong to the central government; and all that affects the interests of particular localities fall properly to the respective local governments concerned.

2. The peoples of the various provinces have the right to make their own provincial constitutions and to elect their own governors. But it is to be understood that such provincial constitutions so made are not to be in conflict with the National Constitution. The governors are on the one hand administrators of the rights of self-government in their respective provinces, and on the other, representatives of the Central Government from which they receive orders for the administration of national affairs.

3. Recognition of the *Hsien* (county) as the unit of self-government. The people of all such self-governed *Hsien* have the rights of directly electing and revoking officials, as well as those of initiative and referendum.

All tax proceeds from lands, accretion in land values, the produce of public lands, revenues derived from the utilization of forests and rivers, receipts from mining and water power—all these accrue to the local government which undertakes to use them for administering local affairs, providing institutions for the care of the young, the aged and the poor and dependent, aiding sufferers from famines and other natural disasters, and promoting sanitation and other kinds of public welfare.

When the financial capacity of the *Hsien* is insufficient to exploit its natural resources or to undertake large scale industrial and commercial enterprises, the Central Government is to render such aid as is necessary. The net profits therefrom are to be equally shared by the central and local governments.

Each *Hsien* undertakes to contribute a certain percentage of its receipts to the treasury of the Central Government, the minimum and maximum of such contribution being limited to 10 per cent and 50 per cent respectively.

4. The abolition of existing electoral laws based on property as the criterion, and the promulgation of universal suffrage.

5. Recognition of the rights of the people to assemble, to organize, to express themselves either in speech or in print, to reside wherever they please and to enjoy the freedom of belief.

6. The gradual transformation of the present mercenary to conscriptive military service. At the same time attention will be given to improvement of the economic conditions of non-commissioned officers and soldiers, and also their legal status; agricultural and vocational training for the soldiers, stricter and more specific qualifications of officers, and the revision of the procedure of dismissal.

7. In cooperation with the industrial world, the rehabilitation of the idle and vicious, making them productive social factors again.

8. The enactment of laws governing the rate of rent, both urban and rural, and prohibiting overcharge and fraud; the abolition of *Likin,* etc., included.

9. Census to be taken. Conservation of arable land, regulation of production and consumption of farm produce to insure equitable distribution.

10. The betterment of agricultural communities and the amelioration of rural life.

11. Labor legislation; the improvement of the living conditions of workers, and protection and encouragement of labor organizations.

12. The recognition of the principle of sex equality, legally, economically, educationally, and socially, and the endorsement of the feministic movement.

13. Universal education based upon the principle of individualization; the reorganization of the educational system; the increase and protection of educational funds.

14. The enactment of land laws, laws regulating the use of land, laws governing the taxation of land-produce and of the assessed value of land. The value of lands privately owned, after having been properly assessed by their owner, must be reported to the government which will levy taxes on them proportionate to their value, and, if necessary, the government will exercise the right of eminent domain.

15. All enterprises which partake of the nature of a monopoly, or assume proportions incommensurate with the financial resources of individual entrepreneurs, such as railroads and shipping industries shall be undertaken and administered by the state.

The above itemized program embodies the indispensable minimum of our party platform, and constitutes an immediate step to the salavation of China.

DR. SUN YAT-SEN'S WILL[9]

To members of the party Dr. Sun is a martyr, the focus of a new national religion. His principles are being taught in schools, including the missionary schools in the Province of Kwangtung, as a required course, and are daily preached to the youth, to the army, to workingmen and to the people as a whole. Whenever and wherever the Kuomingtang holds sway. Dr. Sun's parting message is recited before the opening of any meeting. Particularly in the Province of Kwangtung the daily routine of the school children invariably begins with a bow to Dr. Sun's picture and a recitation of his parting message. This message, which is being thus graven on the minds of so many millions of Chinese, reads:

For forty year I [Dr. Sun] devoted my life to a revolutionary cause in an attempt to elevate China to a state of freedom and independence. My experience of these eventful years has

[9] From article "Origin and Aims of the Cantonese National Party," by Chang Wei Chiu. *Current History*. 25: 531. January, 1927.

absolutely convinced me that to attain this cherished goal we must enlist the support of the great mass of people at home and work in cooperation with those nations which trust us on the basis of equality.

The revolutionary movement has not as yet succeeded, and it is therefore imperative that all my fellow-workers should do their utmost in order to realize my "Reconstruction Plan," "Outlines of Reconstructive Policies," "The Three Principles of the People," and the policies enunciated in the manifesto of the Kuomingtang at the first national convention.

Fight on, my fellow-workers, with renewed vigor to bring about a People's Convention for the solution of our national problems and to abolish the unequal treaties with foreign nations. These things must be done in the shortest time possible.

CANTON IDEA[10]

The Nationalist government, like the Soviet government, is the creature of a political machine. In Russia, ultimate authority rests with the Communist Party, and everything else is window-dressing. Even more in Canton are government officials dependent on their Party status. The annual Kuomintang Congress elects a Central Executive Committee, which meets at intervals and appoints, on the one hand the various "departments" of the Party organization, and on the other the nucleus of the government as distinct from the Party—the Political Bureau, a committee of nine, from which the whole structure of national, provincial and city administration devolves.

The theory on which the new government rests is that of the so-called "committee" system—namely, that groups should in every possible instance take over the work formerly done by individuals. This is of course a complete break with the principles of representative government that were laid down for the Chinese Republic in the Constitution of 1912 and degenerated into autocracy and militarism. The break was intentional and, it may be, offered the best way to rid China of those totally

[10] From article by John McCook Roots. *Asia.* 27: 284-8. April, 1927.

corrupt administrative traditions which had been handed down from the Manchus and in every province outside Kwangtung had continued to function even after 1911. The greatest civil vice in China is nepotism. Under the old system, no sooner was a man in office than he at once had a hundred relatives clamoring for place or preference. Moreover, it was thought unfilial in him to refuse these requests. Small wonder that the Nationalists have endeavored to rid themselves of such a public evil. It may be said that the presence of two close relatives of Sun Yat-sen, a son and a brother-in-law, in high office at Canton indicates that family preference still exists there as elsewhere. But the fact is that these two men were probably the best available, and, if there were family considerations involved, they had to do with the psychological effect on the people of seeing two flesh-and-blood representatives of the dead revolutionary hero in the government and not with the common or garden variety of the spoils system. Although there is no pretense in Canton that the committee system is going to eliminate overnight one of China's most tenacious social traditions, it is claimed that this form of divided yet fixed responsibility in handling public affairs has resulted in greater efficiency and less corruption—has produced, in short, more consistent good government—than exists anywhere else in the country.

The real seat of authority in the Nationalist government is the Political Bureau, which includes such civil and military leaders as Eugene Chen, foreign minister, T. V. Soong, finance minister, General Chiang Kai-shek, leader of the National Revolutionary Army, and the son of Sun Yat-sen himself—Sun Fo. This Political Bureau appoints the Nationalist Government Council, which supports the claim of Canton to a national and not merely a provincial government. Two ministries are maintained which are exceptions to the committee system—the Ministry of Foreign Affairs and the Ministry of Finance—

for foreign relations must be conducted as by the government of China, and the traditional land taxes have to be collected on the same basis. There is also a War Council, which handles all military affairs and which, in addition to a majority of army officers, includes two civilians. Chiang Kai-shek is commander-in-chief of the National Revolutionary Army, and he was invested with increased authority as an emergency measure before the Northern Expedition last July. But ultimately his authority is derived from this mixed body over which he has no direct control.

Next in the structural scale, but still deriving their power from the Political Bureau, come the heads of the various committees in the provincial administration—the actual rulers of Kwangtung Province—all of them young men under forty, and most of them with an American or an English education. They represent the Department of Civil Administration, which controls the town and village—*hsien*—organizations; the Department of Education, which has charge of applying the government standards in both foreign and Chinese schools; and the Departments of Reconstruction, Commerce and Industry, Labor and Peasants, and Land. There is also a provincial Department of Finance and commissioners for the Salt Administration, for the Customs and for Foreign Affairs. But these come under the general supervision of the Nationalist Ministry of Finance and of the Nationalist Ministry of Foreign Affairs.

There remains the Canton municipality, without question the most efficiently managed Chinese city in China. A sign of the times occurred several years back when the old walls, such as still encircle most of the larger Chinese towns, were leveled in defiance of tradition to make way for a broad boulevard around the city limits. Since then new roads have appeared, a drainage system has been installed, the police department has been reorganized. One must have lived in an interior Chinese

city surrounded by moss-grown battlements, with its narrow, crowded streets, its filth, its odors, its magistrate who grows fat off the taxes, and its incorrigible administrative inefficiency and "red tape," in order to measure the achievement of Canton in making itself a livable place.

The city is administered by a mayor and a Municipal Council, who again receive their authority from the provincial government. Council members are chosen according to the classes in society, so that there are equal numbers of representatives from the merchants, farmers, laborers, educationalists and other members of the professions. The difference between this idea and the Marxian dogma of rule solely by the workers, or "proletariat," will at once be apparent. In Russia today, to be sure, the Communist leaders have extended the political eligibility list to include peasants as well as industrial laborers. But they still exclude owners of private industries and certain professional classes from any political rights and limit membership in the Communist Party to workers and peasants and their children. To the Chinese it has been part of an age-old heritage to regard all classes as having a right to participate in those things that most closely concern them. Posters in Russia read "Workers of the World Unite!" There is some of this in Canton, but a more typical slogan is "Workers, Merchants, Peasants, Students, Soldiers—Unite!"

RENAISSANCE IN CHINA[11]

The Chinese Renaissance movement represents a new stage in the process of modernising our country and our people, and in that process three stages have already been manifested. The first may be described as the mechanical stage—the introduction of mechanical imple-

[11] From article by Dr. Hu Shih. *Royal Institute of International Affairs. Journal.* 5: 265-83. November, 1926.

ments, of battleships, guns and steamships. The second stage was the stage of political reform. Then came the third stage, the movement of which I am to speak to-night.

In the last hundred years, the period of our close contact with the West, China has shown an unfortunate resistance to the new form of civilisation which has been knocking at our door. We resisted for a hundred years, and started our effort to modernize almost at the point of the bayonet. Perhaps it is hardly to be wondered that our first efforts lay in the direction of mechanical devices.

Our mechanical experience started in 1850 with the weapons of war introduced during the Taiping Rebellion which swept over the country like a cyclone and devastated almost half the provinces of China. The old army was powerless largely because it had been demoralized and weakened by opium smoking. There arose in the province of Hunan certain Chinese leaders of high courage and character who tried to organize a volunteer army and a volunteer navy. In the course of a few years they recovered from the rebels a number of cities and provinces; but even this new army, this volunteer army, proved quite inadequate in equipment and organization for its great task.

Then one of these leaders, Li-hung-Chang, realised that assistance could be secured from the West in the form of munitions, of organisation and of leadership. In the Lower Yangtse territory a new army was organised, equipped with modern arms and trained under modern Western military officers, among whom was General Gordon. This new force, which soon acquired the name of the "Ever-Victorious Army," recovered practically all the provinces in the Lower Yangtse Valley, and finally besieged and recaptured Nanking, the seat of the rebellion. This event brought home to the Chinese in a practical way the superiority of certain phases of

Western civilisation. The introduction of modern armaments paved the way for a general reorganisation of the Chinese navy and of part of the Chinese army. Arsenals were erected and a big dockyard was established.

But in all these innovations, these attempts to introduce Western ways, there was no attempt and indeed no desire on the part of the Chinese to understand the basic ideas underlying the civilisation which had produced these wonderful new weapons of war and the new methods of commerce which became conspicuous at about the same time. There was not even a desire to understand the language of the foreigners. When at last a School of Languages was established by order of the Government, even the sons of the men who had originated the idea refused to enter the new school, and scholars had to be recruited from poor families who were attracted by a small monthly gratuity. There was no desire on that part of the Chinese Government or people to train leaders for a new and more modern form of civilisation in China. Their activities were confined to the training of young boys in the mastery of a foreign language, in order that they might become interpreters to the great Mandarins.

Throughout this first stage indeed, this stage of mechanical experiment, there was no attempt to understand or to introduce those finer elements which constitute the genius of Western civilisation. There was, it is true, some attempt to translate scientific text-books with the help of foreign missionaries, but the whole tone of the age was represented by the demand for only two things from the West—wealth and power. In the newspapers and publications of the last generation these two factors stand out as the sole requirements of the first reformers.

But we soon began to realise that it would be impossible to achieve even those desired objects of wealth

and power without political reorganisation. The wars of 1860, of 1884 and of 1885, and the war with Japan in 1894, demonstrated that the introduction of modern weapons of war and of commerce, unaccompanied by the transformation of outworn political machinery, was not sufficient to save China. The new navy, which had cost China vast fortunes, was swept away during the Sino-Japanese War in the final decade of the last century. And at last the more far-seeing of our leaders began to realise and to preach the need for a thorough reorganisation of our political machinery. China thus entered the second stage in the process of her modernisation—the stage of political reform.

The drama of Chinese political reform divides itself into four acts. Act 1, to make a long story short, was the reform of 1898, based on a program of the Manchu Emperor Kwang-Hsu, who was convinced that China needed certain basic reforms if she was to retain her independence. When he came into power he called to his service a number of the more radical leaders of the time and, in the course of a few months, proclaimed a series of drastic reforms. But this movement was short-lived. The forces of reaction soon gathered together and rallied round the person of the Empress-Dowager. The reforms were swept away, the Emperor was imprisoned by the Dowager and six of the reformers were executed.

China then entered on the second Act of this political drama, which consisted of reaction and culminated in the appalling tragedy of the Boxer Rising of 1900. That episode so disgraced the nation that for many years China was not considered a respectable member of the Family of Nations. But the humiliation which China suffered in those days was sufficient to convince the people that political reform could no longer be neglected, and even the reactionary Court of the Manchus was persuaded to proclaim a few important reforms during

the years from 1901 to 1910. When the Russo-Japanese War was being fought on Chinese soil in 1904-5, the Chinese had a striking illustration of the efficiency of modernisation. A small nation of the East defeated Russia, one of the greatest Powers of Europe, and modern organisation was recognised as the cause of her success. Thousands of students accordingly flocked to Japan, hoping to discover the means for a second and similar miracle. The Government was compelled to send an Imperial Commission to Europe and America to study constitutional reform, and in 1908 a scheme of Constitutional Government was proclaimed, allotting a period of nine years to the gradual fulfilment of a program of Constitutional Monarchy. The Council of State, which was to be the father of the future Parliament, opened in 1910. But these reforms, which constituted Act III of the political drama, were approached half-heartedly; there was no genuine change on the part of the Court, the nobility or the officials, the Government was still in the hands of intriguing princes, eunuchs and old women. There was no genuine leadership in the direction of a more healthy and more vigorous national life.

During those years a new activity had manifested itself, a revolutionary movement which was directed against the Manchus. The Manchus, who had been reigning in China for 270 years, had now proved themselves incompetent, incapable of meeting the needs of the nation either in its internal or external affairs. The Taiping Rebellion provided the first definite evidence of the demoralisation of the reigning race. It was followed by the period of reaction, by the *coup d' etat* of 1898 and by the tragedy of 1900. A conviction was growing among the people that, so long as the Manchu Court and nobility remained in power there was little hope of effective transformation. The spirit of unrest grew deeper and broader in those years between 1900 and

1911, until in 1911 it showed itself in open rebellion. The dynasty offered no effective resistance. The old loyalties had been shaken by those years of revolutionary agitation. The dynasty abdicated in 1912, and thus the first popular revolt, the anti-Manchu Rebellion, won a complete and almost bloodless success.

But there remained the more important task of establishing a Republican Government. The forces that set it in motion have been in evidence for fifty years, but we must confess that the first efforts at popular government have so far proved a failure. The Republic has failed, not because modern China has failed—there has never been a modern China—but because in all these processes the changes have been superficial and have hardly touched the fundamental issues of political transformation. There has been practically no modern leadership, practically no genuine admission of our real weaknesses, no recognition of the spiritual possibilities of the new civilisation. Such reforms as we carried out were regarded as a necessary evil and were never directed by men trained for such great tasks. If we look at the list of men who have played an important part in the history of the last fifty years, there is not one who had received even the rudiments of a modern education, not one who was qualified to govern a modern State, for to govern a modern State in a constitutional way required a modern education.

In the first years of the Republic the old forces were taken by surprise and the old officials hurried to Shanghai or Tsingtau to seek refuge and retirement, thinking probably that their day had passed. But in the course of a few years they were recalled one by one to participate once more in the government of the country. The reactionary forces rallied round one man, Yuan-Shi-Kai, the incarnation of reaction, and it was impossible for the infantile new forces to maintain an effective resistance against the shrewdness and experience of men

who were past-masters at the Chinese official game. In a very short time the new forces had been swept out of sight and Yuan-Shi-Kai had proclaimed himself Emperor of China.

In 1914, 1915 and 1916 there was an all-pervading sense of despair. A number of young men committed suicide because they could think of no way out, could see no ray of light ahead. It was not like those last years of the Manchu Dynasty, when people knew that somewhere and sometime a rebellion would come. Now it had come, had been swept out of the path and had left only depression and despair. In those years people began at last to realize the futility of superficial political change, and to seek for some new factor which could be made the corner-stone of a new age.

In the years 1915 and 1916 groups of Chinese students in American Universities were carrying on a controversy on problems of literature. The controversy began on a question of poetic diction and it gradually extended to the larger problem of Chinese literature. The results of the controversy were published in the early days of 1917, and formed the first declarations of a movement which has created a revolution in Chinese literature. This literary revolution marks the first stage in the Chinese Renaissance, for here will be found a spirit essentially different from the earlier stages of modernisation. In the early days we wanted to be modern, but we were afraid of losing the other things which we were told were good. We had been constantly flattered, even by the missionaries, that we were heirs to a great inheritance, and we were adjured to cherish it and cling to it—at whatever cost. Even today we are hypnotised continually by praises of our old civilisation. We want to be moderised and we expected to become modern. But at the same time we were requested not to lose what we have. We are expected to perform a miraculous task *to change and to remain the same*. There

is little wonder then that the Chinese have continued to live in comfortable dreams of compromise, accepting certain externals from the Western Barbarians whilst preserving the restrictions and negations of the past.

But a new age has dawned. We have realised at last that certain things must be given up if China is to live. If we really want education, general and universal education, we must first have a new language, a language which can be used and understood by tongue and ear and pen, and which will be a living language for the people. For years and years we tried to have education, but we feared to use the spoken language. We tried to compromise in various ways, but we clung as scholars to the scholarly language. It was impossible to preach a language, to ask people to accept a language, which was not good enough for us. China went through a stage of contradictions and remained unconscious of the fact.

At last the new movement began in earnest, the Literary Revolution. It advocates the adoption of the spoken language, the vulgar tongue of the people, as the lay medium for all official and literary composition. Its aim is to elevate the despised vulgar tongue of the people to the dignified position of the literary language of the nation. It is a revolution in a sense because it has involved a reassessment of the vulgar literature of the past and of the classical tradition. It seeks to introduce the spoken language of the people as the medium of expression in all text-books, in all newspapers, in all respectable branches of literature. It has achieved its success through two methods, through historical justification and through constant experiment. The historic argument has aimed to demonstrate that the classical literature, the classical tradition, of China, did not represent the whole historical development of Chinese literature; it represented only the stereotyped phase of the development of Chinese literary genius; side by side with this classical tradition there has always existed

a continuous current of popular literature in the form of folk-songs, poems, epic recitals, the drama and the novel. It based its claims on those great masterpieces of literature which have become so popular among the people. One of the greatest critics of the seventeenth century was inspired to declare that one of the popular novels was superior to every work of classical diction in literary beauty. The masterpieces of the popular literature have proved conclusively that the vulgar language is capable of being used as the literary language of the people. The historical argument has been supplemented by conscious experimentation. It has been shown that in the long historical development of popular literature there was lacking one great factor—conscious endeavor. The great writers, the people, the great singers, the rustic lovers, the tavern entertainers have accepted and used this living language to express their feelings and their aims, but there has been in the past no conscious effort to adopt the language, no conscious effort to defend it.

This Literary Revolution formed the first phase of the Chinese Renaissance. It marked a new phase, a new life. It was not a complete breaking away from the past, it was an historical development; it was a conscious effort to make articulate all the valuable elements we already possessed. At the same time the methods were modern, the inspirations were modern. It thus presented to the people a new and living idea.

As language is the most important vehicle of thought and of expression, any radical and fundamental change in a national language could not but involve a great change in other phases of social and intellectual life. So, during the last ten years, this Literary Revolution has spread and has affected various phases of Chinese life. I shall confine myself to two particular phases: first, the intellectual changes, and secondly, the social and political developments.

However multifarious these tendencies may seem,

there are certain general characteristics which unite them more or less into one great National Movement. The whole movement may be characterized, in the words of Nietzsche, as a movement of the transvaluation of all values. It is a movement in a way to make everything upside down; to try, to judge, to criticize, to doubt, to revalue old things according to new standards. Nothing is too high or too low to be subjected to this process of transvaluation. Marriage, concubinage, widowhood, Confucianism, Christianity—nothing is too sacred to be allowed to pass without criticism. It is for us an age of doubt, of criticism, of protest.

The first phase, the most important effect of this age, is shown in the world of intellectual life. For the first time in history we begin to recognize a new attitude, a desire to understand the basic meaning of modern civilisation, to understand the philosophy behind the civilisation of the West. As the best example of this new consciousness I may cite the work of a Chinese scholar, Liang Shou-ming. Mr. Liang was disturbed by the imminent conflict between civilisations of the East and West. He spent years of thought on this problem, and in 1920 published a book called *The Civilizations of the East and the West and their Philosophies* —quite an ambitious title. In his introductory chapter he points out that Oriental civilisation has come into sharp and fundamental conflict with the civilisation of the West, and that we cannot escape the imperative necessity of seeking a fundamental solution. His book was widely read and much has been written since on the same subject.

I will not discuss at any great length other phases of the intellectual change. They include the development of a scientific scholarship, of critical study of past learning, of movements for mass education. These things I will pass over and come to the second phase, the social and political unrest.

In the early days of the revolution some of my colleagues started a political paper. That was the beginning of a division in this new movement. Some of the original leaders of the movement became leaders of political parties. The present leader of the Chinese Communist party was the co-editor with me of that paper, *The New Youth,* which was responsible for the first launching of the language movement.

I should like to say a few words about the part played by the students in recent years. The Student Movement began in 1919 as a protest against the decision of the Versailles Peace Conference in regard to the Chinese province of Shantung. The constant interference of students in politics is regarded as strange in foreign countries, but when you come to think of it, it is quite a usual phenomenon in the history of mankind. It is almost a universal rule that, whenever abnormal conditions of a society exist, whenever there is lacking a regular channel for the expression of popular wishes and ideas, whenever the older generation fails to satisfy the desires of the people, the burden of political interference almost invariably falls upon the shoulders of the younger generation of intellectuals—the students. The Chinese students participated actively in politics in the second century A.D., in the tenth century, and in the seventeenth century. Whenever you find an abnormal state of affairs, there you find the Student Movement. In European history I believe that you find the same thing. In mediaeval times such movements were not uncommon. In the year 1848, the year of revolutions throughout Europe, revolutions were started by students in almost every country. In India, in Korea, in Turkey, in Persia, in Russia, whenever you find a set of abnormal conditions and the existing order of things no longer satisfies the people, or wherever the older generation has failed to live up to the expectation of the younger generation, you find an active Student Move-

ment. And the reverse is equally true. In those countries where conditions are tolerably normal, as in America and in England, we shall find the students more deeply interested in football and cricket than in politics.

The Chinese Student Movement began as a spontaneous movement in 1919. It became so suddenly strong that the Government was soon forced to dismiss three pro-Japanese officials of the highest rank. There was no Russian propaganda, no organisation of any kind behind it; it was a spontaneous patriotic movement. Though it gradually spread and became a national movement, it lacked any efficient form of organisation. But the events of 1919, 1920 and 1921 so clearly demonstrated the usefulness and power of this new element in Chinese life that political parties began to understand and try to use that power. In the years 1920 and 1921 many political parties threw open the columns of their papers to student contributions; student editors and reporters were employed in an attempt to get students interested in political life. Then in 1924 the Kwo-min-Tang—probably the only Chinese party that deserves the name of a political party—officially adopted the policy of enlisting students among its members. From that time onward party organisations have existed in the colleges and universities throughout the country, and wherever you find an educational center you will find a party organisation of some kind.

The first stage of student activity found them without any organisation. The second stage was one of political organisation. Then came a third stage, when the students were no longer a loose organisation, but a highly organised body under the influence of Soviet Russia and of the Third Internationale. The Chinese as a race have always shown lack of organisation. Even in literature we find in the whole literary harvest of 2500 years no single book written with a plot, with an organisation, with a desire for architectonic structure.

Even the novels and dramas show the lack of plot, of organisation. The early unorganized efforts of the Student Movement soon died away. Any great emotional crisis would be sufficient to call up a Student Movement, but as soon as the issue passed the movement died away.

But the new phase of the movement is different. The new Kwo-min-Tang, or National Party, has adopted a highly developed organisation, a new army, a new discipline. The army became a part of the party, and the party became the directorate, the teacher, the soul, the brain of the army. The whole organisation of the military arm and of the party itself is practically identical, at least interlocked. There is a party representative in every unit of the army. At the same time, the whole party is more or less under a military type of discipline. This, I think, is a very remarkable and very important fact. The Japanese received a great deal of inspiration from the Germans in the early days of their enlightenment. The Chinese have not yet learned any serious lesson from any Western country. But we are beginning to be schooled in the matter of organisation.

MASS EDUCATION MOVEMENT[12]

I. Object.

The object of the Mass Education Movement is twofold:

1. To teach the illiterate masses to read the Chinese language "within a minimum of time and at a minimum of cost," and

2. To train them for Chinese citizenship.

[12] From Outline of the Mass Education Movement: Its Work and Its Needs. 11p. typewritten. China Institute in America. New York. 1926.

II. Policy.

1. *Concentrating on Eliminating Illiteracy During the "First Period."* As the ability to read and write is the foundation for intelligent citizenship, it is the policy of the Movement during the "first period"—say, for the first ten years or more to devote its *major* program to the task of eliminating illiteracy and its *minor* program to that of general citizenship training. During the "second period" the reverse will be true. According to the most recent estimate available, 80 per cent of the Chinese people, or three hundred and twenty million, cannot read or write. Out of this total number of illiterates there are approximately seventy million children of school age (between six and twelve) who are not yet in school, and over one hundred million adolescents (between twelve and twenty-two) and some hundred million adults. The education of the children of school age is recognized as a governmental function and is planned for by the government in its educational system. But the other two hundred million adolescents and adults who have passed the school age and have been denied a normal chance of schooling will be doomed for life to the terrible "blind alley" of illiteracy and ignorance, unless an opportunity is given to them.

While the ultimate goal of the Movement is to reach every illiterate, old or young, in the nation, it is the policy of the Movement during the "first period" to make its big drive for the *illiterate youths—for the one hundred million illiterate adolescents* mentioned above. Being young, they are most eager to learn and most teachable, and if given a chance, a few years hence these now illiterate youths—one hundred million strong—will play their great part in forming public opinion and in exercising control over local and national affairs and thus in shaping the destiny of the Chinese Republic.

2. *Intensive Citizenship Training During the "Second Period."* As the slogan of the Mass Education Movement is to "Eliminate Illiterates and Make New Citizens for China" the major program for the "Second Period" when the general level of literacy is raised among the people, will be to launch a nation-wide campaign of Citizenship Training. But what that training should be or what truly constitutes *Chinese Citizenship is,* as yet, an unknown and unstudied question in China. Mere translation of foreign texts on Civics would never get us very far. Wholesale adoption of foreign ways is likely to do more harm than good. The tragic failure of the so-called "modern education" for the last twenty years or more is an unmistakable proof of the folly and the blindness of wholesale transplantation of foreign systems. As to what constitute the essentials of good citizenship for the Chinese who have behind them a political heritage and social background of more than 4,000 years old, and before them a new world and a new civilization, the Chinese will have to work it out themselves, not by slavish imitation, however, or by trial and error, but by means of scientific research based upon a thorough knowledge of the life and the needs of the people.

The Mass Education Movement during the "first period," as will be seen later in the paper, does not only offer splendid opportunities for the practical study of the problem of Chinese Citizenship, but it is already, through its campaigns, training the people, though indirectly, in organization, cooperation and public service which may be called the "universal qualities" of good citizenship and in which the Chinese, as a people, are known to be sadly deficient. To the average Chinese, literate or illiterate, the appeal of education, particularly Mass Education which stands for "education for all" is irresistible! It is the common platform on which all can join efforts and in which all believe. Its program provides the most favorable conditions for united efforts

where no material gain is possible, and where unselfish service is demanded of all. The success of a mass education campaign depends on the success of the Movement in creating a community spirit, in enlisting voluntary service, in securing local financial support, and in organizing men and women of all classes and creeds for cooperative action. By participating in such a program the literate and the well-to-do members come to the realization that the welfare of the community depends upon the development and intelligence of the masses. In the meantime these illiterate folks themselves are given an opportunity for education and self-development, it creates in them a sense of personal worth as well as a sense of responsibility in the life of the community and the nation.

III. Text Used in Teaching the Language—"People's Thousand Character Course."

In order to reach the common people of China, who are generally poor or busy, or both, it is essential to bring education within the time and the money that they can afford, or to put it in the words of the Movement, "Maximum vocabulary, minimum time, and minimum cost." The "People's Thousand Character Course," based upon over 1,100 of the most frequently used characters in Pai-hua (the spoken language) which have been scientifically selected after an elaborate process of elimination and experimentation, has been worked out to meet these requirements. The course consists of four readers containing each twenty-four lessons especially designed for the twenty-four week-days of the month. The time required for the completion of this course is four months of class work of an average of one hour each week day, or an average total of 96 hours. Each student costs, as experience in the different provinces has shown, an average of one dollar for the entire term. Mastery of the Course gives the common man a funda-

mental knowledge of Pai-hua and enables him to write simple letters, keep accounts, and read Pai-hua newspapers intelligently.

IV. Method Used in Reaching the Masses—Mass Education Campaign.

To get the members of a community aroused and organized for the promotion of mass education, the Movement conducts what is called a "Mass Education Campaign." A few of the outstanding features of a typical campaign may be sketched in the following:

1. The Campaign is *Community-wide.* In promoting mass education on an extensive scale, it was clearly recognized at the outset that organized and cooperative efforts are essential. People of all classes and creeds are enlisted to work together to wipe out illiteracy from their community.

2. It is *voluntary.* All the teachers, supervisors, and lecturers of the "People's Schools" in a campaign are volunteers, working without pay. A small allowance of one to four dollars per month is given in most provinces for ricksha fare to teachers and supervisors who give regular service daily to the "People's Schools."

3. It is *locally self-supporting.* Each campaign in any given community is required to be fully responsible for its own local budget.

V. Experiments in the Cities and Some of the Results.

China is a continent in itself, and any educational system that is planned for her millions, in order to be practical and effective, must be necessarily tried out in different parts of the country.

1. *Central China.* Changsha, a typical Chinese city in the province of Hunan was chosen as the first experiment station March, 1922. A general Committee of seventy leading citizens representing business, education, press, guild, church, was organized to set up the campaign. Over 1400 illiterates, men and boys, were enrolled. Eighty teachers were recruited. Over sixty school buildings were secured in all sections of the city, primary schools, churches, temples, police stations, private residences, the Y. M. C. A., and Y. W. C. A. being all utilized. The school term lasted from March to July. Of the 1400 illiterates enrolled, over 1200 boys and men attended the classes till the very last day of the term and took the final examination. Nine hundred and sixty-seven students, representing 55 different lines of occupation and ranging from eight to forty-two years of age, passed successfully and were given diplomas of "Literate Citizen" by the Governor of the Province on the 20th of July, when the graduating exercises were elaborately celebrated—in a typical Chinese manner!

2. *North China.* The experiment for North China took place in Chefoo, Shantung, February to July, 1923. Fifty-two teams of school boys and girls were trained and sent out to canvass the fifty-two districts of the city as mapped out by the Recruiting Committee. In two days' time the boys' teams enrolled 1466 boys and men, and the girls' teams 633 girls and women. One hundred volunteer teachers (70 men and 30 women) were enlisted. Of the 2099 illiterates enrolled over 1600 took the final examination on July 29th and 30th of the same year. On August 1st, the city celebrated the biggest commencement in the history of the Province, one thousand one hundred and forty-seven students (775 boys and men 372 girls and women), ranging from eight to fifty-two years of age, were awarded diplomas of "Literate Citizen" by Mme. Hsiung Hsi-ling. It was through the concrete results of this unique and impressive oc-

casion that Mme. Hsiung became such a great advocate of Mass Education afterwards and has since then devoted a large part of her time and money to the cause of the Movement.

3. *East China.* For East China, Hangchow, Chekiang, was chosen. The campaign lasted from September to December, 1923. Here, instead of the usual practice of using college and middle school students for the recruiting, the police volunteered, and consequently little difficulty was experienced in enrolling over 2000 illiterates in less than two days' time! (One hundred and two volunteer teachers taught in 84 "People's Schools" (61 for men and boys, and 23 for women and girls), scattered throughout the city.

After four months of schooling, 1668 students (1223 males, 445 females) took the final examination. January 20th 1925 was set as the auspicious day for the big celebration. One thousand four hundred and twenty-nine students, men and women, boys and girls, received their diplomas of "Literate Citizen" from the mayor of Hangchow. They ranged in age from 12 to 60. According to occupation excepting the 339 students, whose data were not available, there were 606 artisans, 208 laborers, 135 business men and peddlars, 29 apprentices, 14 soldiers, and 274 students without employment.

VI. Nation-wide Movement and the Mass Education Association.

The concrete results of these experiments made in Central, North, and East China captured the imagination of some of the leading educators and social workers of the country, so much so that they began to throw themselves into the Movement for a nation-wide campaign. At the initiative of the local leading educators and with the cooperation of the two governors of the province, the first Mass Education Association in China was organized in Nanking, June 1923. A few months later,

the Wu-han (Wu-chang and Hangkow) Mass Education Association was formally inaugurated during a big campaign in which over 20,000 people particpated. At one single meeting of the local leaders and school teachers one evening in Wu-chang, the entire audience of 1400 people rose like one man to volunteer to serve in the Peoples' Schools. Meanwhile, the provinces, one after another, began to open People's Schools in amazing numbers. Literally hundreds of people offered money, service and buildings freely to help the cause. The hearty response and the nation-wide support such as accorded the Mass Education Movement throughout the country far exceeded the highest expectations of its promoters.

With the nation-wide spread of the work, the leaders of the Movement realized that a central organization for mass education was urgently needed. So under the leadership of Mme. Hsiung Hsi-ling, Professors Tao Tze-shin, P. C. Wang, Drs. Yuan Hsi-tao, Hu Shih, and Huang Yen-pei, and with the cooperation of the Chinese National Association for the Advancement of Education, a national convention on mass education was called in Peking, August 1923. In this gathering of representatives from twenty provinces, the National Association of the Mass Education Movement was organized with an Executive Board of nine trustees, and a National Board of Trustees composed of two representatives from each province. Mme. Hsiung Hsi-ling was elected unanimously as the chairman of the National Executive Board, and concurrently of the National Association.

Since the inauguration of the National Association, organized associations, both provincial and local, have sprung up in all parts of China, including the extreme western provinces of Szechuan and Yun-nan, and far northern provinces of Manchuria, covering a territory of twenty provinces and four "Special Districts. Being a young Movement, it has no accurate statistics as yet,

but if one could take the number of books sold by the Movement as a basis, one could get some idea as to the approximate number of students studying in the People's Schools. According to the latest reports of the sales agencies of the Movement, such as the Shanghai Commercial Press, and the Association Press of the Y. M. C. A. over 3,000,000 books have been sold. Those who are acquainted with the Chinese social habit of loaning and sharing books among friends and relatives can well imagine the number of people actually studying and having studied this elementary mass education course.

VII. Continuation Education for the Graduates.

Having so far concentrated principally on the elementary mass education course, the Continuation Education as conducted by the Movement is still at the experimental stage. The following is a sketch of a few of the educational activities which are carried on in the provinces.

1. *Continuation Schools.* After graduation, the students are given an opportunity to go through another four months of schooling in the Continuation Schools where such subjects as physics, geography, history, elementary science, ethics, and health are taught.

2. *Reading Clubs.* Reading Clubs are intended chiefly for those graduates who are desirous of furthering their education, but who, for one reason or another, cannot attend regularly the Continuation Schools. Under the guidance of a leader who is generally a teacher or a literate business man, the members of the club meet once or twice a week to study together periodicals like "The New Citizen" or "The Farmer" or to hear a talk on civics or sanitation. Persons of equal standing in the community are also eligible for both the Continuation Schools and the Reading Clubs.

3. *Scholarships.* Among the young graduates of the People's Schools, there are usually quite a few who are worthy of further training in the institutions of higher grade. The "Scholarship Fund" of the Mass Education Associations has made it possible for some of the promising but poor graduates to enter the regular schools.

4. *Literature.* Follow-up literature on various lines, written in simple and attractive style, based more or less upon the "Foundation Vocabulary" is of primary importance. Books and pamphlets on elementary science, sanitation, farming, vocational guidance, and other literature like stories, biographies and songs, have either been published or are being published. The Shanghai Commercial Press alone has already published more than fifty booklets on fifty different subjects for the graduates.

5. *"Graduates' Society."* Graduates of the People's Schools are organized into what is called a "Graduates' Society" with regular committees and sub-committees for various kinds of activities, educational, civic and social. The object of the Society is (a) for self-improvement and (b) for community service. Mass Education Associations like Nanking, Chansha and Chefoo have from 4000 to 6000 graduates each. These youths constitute a great socializing force in their communities, especially as their number increases from year to year.

VIII. Experiments as Conducted in the Rural Districts of North China.

The great battle of the Mass Education Movement against illiteracy will undoubtedly have to be fought not so much in the cities as in the villages and rural districts where nearly three-fourths of China's millions live. Having made some headway in the cities, the Movement is now launching its program into the country. The plan for the rural work during the "first period" in general, is to select a few areas in different parts of China which are more or less typical of the rural conditions of the

country for experimentation. During the past year or more, in spite of floods, famines and civil wars, a fair beginning has been made in the following districts in North China.

1. *Paoting.* In the Paoting area which used to be a "fu" or perfecture during the Manchu regime, there are twenty "hsien" or counties. In conducting the experiment there, the rural workers of the American Board Mission, both Chinese and foreign, have given the Movement the best of cooperation. Within a period of six months as many as 6,000 students, males and females, ranging from twelve to fifty years of age, have been enrolled in the People's Schools, scattered over several hundred villages, covering a territory of twelve "hsien." The first groups of students enrolled have already had their commencements celebrated and received the diplomas of "Literate Citizen," which were, as a rule, all stamped with the official seal of the hsien magistrate. It was most encouraging to learn, among other hopeful things of the work there, that in one of these commencements the school which made the highest place in a hsien was the school taught by a man who learned his text in a neighboring village school in the morning and taught it in the evening.

The results of this work have had far-reaching influence for the magistrates of several neighboring hsiens have, entirely on their own initiative, started a few hundred People's Schools with an additional enrollment of nearly 10,000 students. Upon the urgent request of the field workers and teachers the Division of Rural Education has been since last March publishing a paper (like "The New Citizen" issued by the Division of Urban Education for the city graduates) called "The Farmer" for the village graduates which is, by the way, the first paper of its kind ever published for the farmers of China.

2. *Ching Chao or the Peking Metropolitan District.*

Under the capable and conscientious leadership of the former Governor of the Peking Metropolitan District, Mr. Hsueh Tze-liang, a very significant rural experiment was conducted in Ching-chao which has twenty "hsien" under its jurisdiction, varying from one hundred to one thousand villages each. In order that the civil authorities of the entire District might learn the principles of mass education and its methods of promotion and organization, a training conference of all the magistrates was called by the Governor in Peking. The plan as worked out by the conference was to make mass education universal throughout the Metropolitan Districts. To carry this out, the program was divided into three educational periods. It is calculated that, unless flood, famine, or civil war should seriously intervene, by the end of the third period, which is about the summer of 1927, all the illiterate adolescent youths of the District will have been taken into the People's Schools.

3. *Tung Hsien Experiment.* Here in Tung Hsien an "intensive experiment" is being carried on. By "intensive experiment" is meant that mass education work be concentrated in the chosen area until (a) illiteracy is wiped out, (b) civic education is introduced, (c) sanitary measures are inaugurated and (d) general farming reforms are effected. The Village People's School is to serve as the center for all educational, social and civic activities. To effectually carry out (d) namely the economic uplift of the rural people, a Demonstrative Agriculture Experiment Station will be established in connection with the North China Rural Mass Education Training School. The Movement aims, in other words, to make Tung-hsien a model district in education and in general civic, social and economic reforms so that it may be used as a demonstration and training center for other rural districts in North China. In order that this experiment may be thorough-going and scientific, an extensive survey of the whole hsien is being conducted

by the Department of Survey and Research under the expert leadership of Mr. Sidney Gamble, author of PEKING, A SOCIAL SURVEY, and Professor R. Feng, formerly director of the Bureau of Rural Research, National Southeastern University, Nanking. A program of People's Schools which come into touch with practically every family in a village has proved to be a very effective means of disarming the suspicion of the farmers and of winning their good-will and thus opening the way for the generally misunderstood and unwelcome social investigators.

It is worth pointing out here that comparing the work conducted so far in the rural districts with that in the cities, one finds that the conditions in the former are even more favorable for the promotion of mass education than those in the latter. In the first place, the village folks have been very sadly neglected, and consequently appreciate every little kindness done for them, and this attitude on their part makes them much more teachable than the city people. In the second place, unlike the city, the village has scarcely any attractions or distractions, and the students are therefore much more eager and faithful in their school attendance, and in fact look upon the village school as a sort of community center for recreation and general good time as well as for schooling. In the third place, the village being a small group of families, where everybody knows practically everybody else, it is a much simpler matter to create a community spirit which is so essential for the successful promotion of mass education than in the cities. In the fourth place, in North China, there are four to six so-called "idle months" in fall and winter, and therefore most of the farming people can attend school from five to six hours a day. Lastly, but not least, Chinese country folks are among the most industrious and hard-working of the Chinese people. For these, if for no other reasons, the illiterate farmer ought to be given at

least as good a chance for getting an education as his town cousins. Economically as well as numerically, China's real backbone is her rural people, and therefore the promotion of rural mass education is of the utmost importance.

YOUNG CHINA [13]

The forces impelling young China are varied and complex. In the first place, young China is moved by a sense of responsibility. No other group cares about the nation's welfare. No other will undertake the task of safeguarding it. China's reconstruction would be left unachieved unless young China strove for it. This alone would be a sufficient motive. But in addition to it, there is fast developing an intelligent loyalty which increases the ability to bear burdens assumed.

It is frankly recognized that the core of the problem of national reformation is at home. The evils of militarism, the wrangling of political rivals, the prevalence of official greed, are not possible of concealment. On the contrary, they are attacked publicly. "The important thing," said a high official of the People's Party at a recent gathering, "is not the battles which have been won but the principles for which our armies have been fighting. We are fighting militarism first of all—the militarism represented by Yuan Shih-kai, Wu Pei-fu and men of that stamp. We are fighting, also, the foreign imperialism which has supported all these militarists in their efforts to crush the people's revolution."

It is young China, too, that has taken up the responsibility of reducing illiteracy. President Ray Lyman Wilbur was one of the many at the Institute of Pacific Relations at Honolulu in 1925 who came away believing that no more significant movement had been reported there

[13] From article by Edward H. Hume, former president of Yale-in-China. *Foreign Affairs.* 5: 466-58. April, 1927.

than the Mass Education Movement in China. Though less than seven years old, it has already demonstrated its effectiveness by adding literates to the population at the rate of seven hundred thousand a year.

A second force is a sense of irritation. There is precisely the same stirring in the young Filipino, the young Egyptian and the young Turk. Young China is trying to rid itself of external irritants, in particular. It knows that peace and order have disappeared, that education is suffering, that transportation is crippled—all because of the plague of militarism. But it is the aggressiveness of the foreigner that rankles most today. In his report on the Shanghai incident of May 30, 1925, Finley Johnson, the American judge in the Court of Inquiry, insisted that the anti-foreign feeling in China was not due, primarily to the events of that regretable day, but to a variety of political causes: loss of territorial sovereignty, and the usurping of powers, legislative, judicial, administrative and police, in Chinese territory, as well as "the failure on the part of the foreigners in China to realize that the Chinese people have made greater advancement during the past ten years in civics, in the fundamental principles of government and in the better understanding of individual rights under the law than they had made in any hundred years during their entire history."

One underlying reason for the irritation against the West is found in the belief that moral issues, so basic in Chinese philosophy, appear to be ignored frequently. The Chinese frankly admit that they do not live up to their own high standards; yet their chief concern is with human behavior, for the appraisal of which they possess a remarkable instinct. Their indignation over recent occurrences is not, in their own thought, primarily anti-foreign; it is moral. After living with the Chinese for many years I have come to believe that the sense of resentment against the West is strongest in those matters where the West appears to disregard their ideas of what

is "right," "ethical," "reasonable from a moral standpoint."

A third force is determination to preserve the national heritage at all costs. When China discovered that she was in danger of being outclassed by other nations because of their progress in science, there was a period of discouragement. Today, China has determined to build for herself the civilization she needs, using her own indigenous cultural materials and such as she chooses to borrow from without. Her political integrity she will not surrender. In the realm of spirit, China is re-discovering a distinguished line of social reformers who "experimented with almost all the schemes for social improvement devised by man in any age," as well as many eminent statesmen and administrators and scholars who have enriched many fields of intellectual inquiry.

So, too, in the economic realm, China is determined that revenues that ought to be hers, banking profits that her own financiers ought to secure, shall no longer go to the foreigner. In the ordinary rivalries of business the Chinese merchant never had anything to fear; he was an adept there. He is through, as well, with consortiums and concessions which endanger his economic control. These purposes have largely arisen out of the general distrust of the Westerner that is, unfortunately, so prevalent.

Finally, the forces that have aroused young China may be understood better by recalling certain innate and distinctive Chinese qualities. For example, there is their faculty of tenacious memory. The boy who could never forget the "four books and the five classics" which he had memorized so thoroughly as a child, now writes on blackboards and doorways, "Don't forget the national humiliation." On May 4 he writes, "Don't forget the day of disgrace." This was when China lost her cause at Versailles in 1919. On May 7th he writes, "Don't forget the Twenty-One Demands." On September 7th he

writes, "Don't forget the signing of the Boxer Year protocol." And of course May 30th is a date burned into the heart of young China, the anniversary of the Shanghai incident in 1925.

Another trait is confident belief in the principle of reciprocity. "As you would be done by" was taught long before the Christian era. It has made all Chinese love the method of arbitration. Whether the case at issue be the wage of the laborer, the boundaries of a plot of ground, or the political implications of a diplomatic controversy, every Chinese desires and accepts the principle of arbitration. To him this is a moral and equitable way of solving difficulties.

Still another fundamental influence is the prominence of the group rather than of the individual. Chinese thought has always been family thought, clan thought, village thought. Its essentially democratic character makes public opinion an exceedingly potent force. So, too, it is the family that arranges marriages, the clan that buys and sells property. The group, not the individual, creates benevolences, supports religion, fosters education. Little wonder, then, that there is such ready acceptance of the committee system insisted upon by the People's party as a cardinal principle of government, at least for the time being. The transformation going on before us today is one of basic loyalties. All classes are being taught the meaning of national loyalty as something transcending the native devotion to family and clan.

Assemble these varied elements—the sense of responsibility, the sense of irritation, the new spirit of determination; add to them those significant qualities of memory, of devotion to the principle of reciprocity, of group thought and action; create a series of situations in which all these factors are called into play at once; let the scholar lead as he has always done, however hot-headed many of his followers; teach the laborer and the farm-

hand a few simple things about patriotic duty; and there is formed some conception of what is stirring young China. Obviously, in addition to these psychological factors, other important elements are involved, such as the influence of modern science in education and industry and the influence of new tides of social and religious thought.

The most serious obstacle to young China's progress is likely to be selfishness within its own ranks. Those who put self before their cause and personal gain before national welfare, as well as those who foster party jealousy and narrow provincialisms, are the real menace. Conspicuous for their self-seeking are the military adventurers who have lined their own nests with revenues squeezed out of the provinces. No greater tribute could be paid to the memory of Dr. Sun Yat-sen than that, in the very decade when so many other political leaders became personally wealthy, he died without wealth.

But selfishness is by no means confined to the militarists. Many of the most vocal of the younger leaders have tied themselves up with the Nationalist movement, confidant that its success will bring them better positions and larger incomes. Another type of selfishness appears in narrow-minded provincials who attempt to confiscate the property of leaders from outside their provincial borders or to wreck institutions conducted by foreigners or by others than those belonging to their own immediate neighborhood. Such men ignore real values for passing gain. Their patriotism is likely to falter at the slightest sign of personal danger.

A second danger confronting young China grows out of the yoking together of groups that can never work in harmony. Slogans consisting of complaints against the foreigner can scarcely form a stable bond of union between rival elements in government or in party organization. Yet that is exactly what we see today in the Kuomintang, where the moderate wing has yielded to many of

the demands of radicals in matters such as anti-British agitation, attacks on institutions conducted by Westerners, and the like, in order to hold the party together. Dangerous enough as a temporary expedient, continued yielding of this sort can scarcely fail to work harm to the party. In this same category lie the dangers likely to result from admitting to equal power with the moderates the unthinking among the workers. To permit labor to continue the levies on capital that have already begun may easily disrupt China's economic life, and, in the end, aggravate rather than improve the status of the laborer.

Still a third danger is that young China in its warm advocacy of the democratic principle, shall develop without discipline. Allow the pupils of the higher normal schools in a province like Hunan, with its population of 25,000,000 people, to assume supervision of institutional discipline, penal, financial and administrative; allow the graduates of these schools to become teachers in the primary schools and junior high schools throughout that provinces, themselves yielding, in turn, to the demands of their pupils of every grade and of all ages; and the provincial school system is not merely disorganized but breeds radicalism and license. Instead of being a constructive instrument, it is transformed into a subversive force in the social order.

This is not written to imply that young China will be overwhelmed by these perils. On the contrary, they are discussed here in the belief that the human leadership which has developed during the past fifteen years is fully conscious of the obstacles in the path of progress and that it will deal with them frankly and courageously. The excesses have been, on the whole, those of vitality. Decadent individuals could never be so alert and active.

The future is in the hands of young China. The older generation failed utterly to be creative; the military group because of its greed and over-weening confidence

in force; the intellectuals because of their static philosophy and complacency; the laborer and the farmer because they never knew that it would be possible to have any share in social reconstruction. Young China has become, therefore, the leader of a real revolution, something as essentially different from the movement that overthrew the Manchus in 1911 and from the subsequent so-called lesser revolutions as an on-rushing sea-tide differs from the ripples of a shallow pond. It is working for a future in which China shall fully realize its newly-awakened national aspirations.

Young China looks to the West today to do four things: to understand, by intelligent inquiry, the unfolding situation, political and social; to express a constructive sympathy, which involves, not blindness to the excesses of the radicals, but a willingness to stand by the moderates till they recover power; to refrain from intolerance in attitude and expression, appreciating the magnitude of young China's task, both in area and in size of population involved; and finally, to support every well-considered plan for action in favor of liberal China. The center of such action will consist in a public declaration by our government that old agreements are outworn and that we are ready to meet China's representatives as soon as they have been chosen, in order to reconsider all our political relationships and to put them on a basis that shall be truly equitable and reciprocal. Such a demonstration of our sincerity would strengthen the hands of young China as it proceeds on its enterprise of rebuilding a nation.

CHINESE MISSIONS FACE SUPREME CRISIS[14]

Thanks to the World Missionary Atlas, edited by Harland P. Beach and Charles H. Fahs, and published in

[14] From article by Edward H. Hume, late president of Yale-in-China, Changsa. *New York Times.* 76, Sec. 9: 3. April 24, 1927.

1925 by the Institute of Social and Religious Research of New York, we have before us accurate data as to what American and Canadian societies are doing in China. Of a total of 138 missionary societies of Protestant affiliation at work in China, 70, or just over one-half, represent the United States and Canada. These societies maintain a force of 4,492 missionaries, apart from 3,171 sent from lands other than North America. By far the larger proportion are women—2,867 out of the 4,492 workers from the United States and Canada, as against 1,625 men. This force is scattered at 496 stations throughout the land, a number somewhat less than half of the whole number of stations occupied in China by Protestant missionaries—1,149. The total American investment mounts up to the not inconsiderable sum of nearly $80,000,000.

The Protestant Christian community in China includes some 800,000 persons; the Roman Catholic figures are considerably higher and run up to a million and a half. These, however, are but statistics—figures that can be gleaned from the tables. A few outstanding things can be recorded that do not require the measuring-rod of figures. First of these is modern education. From the first the Jesuits were teachers and men of science. During the reign of the Emperor K'ang Hsi (1662-1722), Mateo Ricci, Schaal, Verbiest and other able scholars found great favor with the throne by their assiduous devotion to such matters as the correction of the calendar, the calculation of eclipses, instruction in certain branches of higher mathematics, &c. The Roman Catholic missions today have important higher educational institutions in a number of cities throughout China. At Shanghai, for instance, Aurora University and the group of colleges and schools at Siccawei indicate their emphasis on education. Protestant higher institutions number twenty-four and their total enrolment in schools of all grades is just short of 300,000.

With education of every grade, as introduced by the missions, came the spirit of investigation. Their influence was what paved the way for the abolishing of the old order of government examinations, and sent thousands of eager youth to America and Europe, as well as to Japan, to secure for themselves what education could give. It was these schools that laid the foundation of such movements as the abolition of foot-binding. Today, no school in China will permit any girl to be enrolled who has bound feet. So, too, from the schools came the movement for personal hygiene, for the planting of trees, for the pursuit of science.

Another vivid example of what missions have done is to be found in the hospitals and dispensaries everywhere. Three hundred and eighty-one men and 118 women doctors are today bringing the benefits of modern medicine to China, ably aided by 320 nurses. No form of missionary endeavor has done more to make the foreign worker beloved than medicine.

Side by side with the hospitals and dispensaries, and working through them, are the schools for the training of Chinese students in modern medicine and modern nursing. It was these schools, founded by missionary doctors and nurses, which led the way for the program of Government education in these fields. These teachers prepared the first medical textbooks, set the standards high and started the stream of medical and nursing graduates, already of considerable dimensions. The genuinely scientific quality of the teaching imparted in the newer schools of today is attested by the teachers in our American schools and hospitals, who find them capable of the truest scientific attitude in the laboratory and the most human relationships with their patients.

Add to these the orphanages and homes for widows, the leper asylums and institutions for the blind and deaf, and the visible accomplishments of missions form an impressive list. More than all these, however, has been the

product in human life. Watch the stream of graduates from the mission schools and colleges and you find among them many of the illustrious names on the roll of the diplomatic service, in the Government Ministries, Presidents and Deans of colleges, heads of modern hospitals, bankers, jurists, teachers, clergymen, publicists, men and women that China cannot dispense with.

Again, the missionary has been one of the most effective students and interpreters of the life of China to the world outside. Great dictionaries of the Chinese language, grammars and textbooks in every branch of human knowledge, studies of village life and scholarly studies of the classics, have brought China more intimately within the ken of the ignorant West.

What is the present Chinese attitude toward missionaries? Many of the extreme nationalists are antagonistic. They believed, some of them, that Christianity would be one of the saving forces for their land and they find themselves puzzled. They ask why so much foreign aggression and foreign military display comes from the lands whose religious workers preach the doctrine of love. The radical communistic wing charges the missionaries with being the tools of imperialism, and their oppression is sincere.

Another group, consisting largely of reflective individuals, oppose the missionaries because they charge Christian thinking with being shallow. They point out how few noteworthy Chinese scholars are present today in Christian circles and urge that the message of the missionary can satisfy only the uncultured mind.

Still others, including many of those who have been students of science in Western lands, take an attitude of criticism toward the missionaries because they hold that Christianity is irrational, unscientific and unnecessary.

By far the largest group of critics consists of those who, like Gallio, remain unconcerned. They are absorbed

with other things and are not stirred by the claims of the Christian faith.

But on the other hand there is an increasing group of Chinese who are studying Christianity and watching the work of the missionary with attention. Some of them accept the underlying motive of Christianity as being one of seeking a better world. While not accepting its teachings they retain that tolerant attitude that Chinese have so commonly shown toward all religions. Others continue to look to the Christian missionary as one who will help them find the cure for the ills of their national life. He has helped them at times of famine and epidemic. He has protected them, helped them to learn, found them employment. Their hope is rather a selfish one, an expectancy that the missionary will minister to their needs.

I think the attitude can be summed up by saying that the Christian messenger, who comes with a spiritual message, humbly and cooperatively to live among the people, will always be welcome throughout China. The Chinese are instinctively tolerant and hospitable to the true religious worker. He must, of course, be wholly rid of all political and commercial associations.

One answer to the question of the missionary's future was given in Rome last October, when with all the pomp and dignity at the command of the Catholic Church, six Chinese Bishops were consecrated for service in China. Other churches have considered such a move. One church has an Assistant Bishop. The Young Men's and Young Women's Christian Associations have placed their enterprises under Chinese secretaries. But no church hitherto has conferred this high position on Chinese church members. The words of the papal encyclical (Outlook, Feb. 16, 1927) are noteworthy: "Because the Roman Pontiff entrusts you [he is speaking to the European and Catholic officials of the Church in China] with the preaching of Christian truth to the heathen, you should not conclude that the Asiatic priesthood has no

function save a minor one to fulfill. Why discourage the native priest from tilling his own soil, in other words, from directing the spiritual welfare of his own countrymen?"

For the first time in two centuries the Papacy has abandoned its ancient policy of holding the power of the Church in the hands of its European clergy. Chosen Chinese priests, trained in the history and the doctrine of the Roman Church, will henceforth, as Bishops, care for the spiritual well-being of the great dioceses in China.

More and more influential members of the Chinese Church are stating that they no longer wish to remain as recipients of treaty privilege and they ask searchingly whether the missionaries are ready, in the days ahead, to share with them the possible difficulties and dangers of the new situation. A beloved American Bishop in China has recently said: "Only as the Church can become as truly Chinese in China as it is English in England, German in Germany, American in America, can it overcome the handicap of appearing to be a foreign institution."

A year ago a group of Chinese and Western Christian workers sat side by side in Shanghai to discuss this very question of the future of the missionary. They found themselves in agreement that "missionaries of the highest spiritual and intellectual type are more than ever needed in China. The missionary needed, however, must be willing loyally to serve under Chinese administrative control, to accept responsibility for such tasks as the Chinese Church may assign and only such tasks. He must be ready to yield up administrative power to the Chinese more rapidly than they may express a desire that he should do so. Above all, he must minimize official status and emphasize personal service, showing a passion for friendship."

Prior to 1925 no Westerner would have thought of stating the qualifications for missionaries in such terms. Today the picture has changed. Everything the mission-

ary does will have to be done, if it is to be at all effective, with a new orientation.

There would appear to be no reason to fear any permanent withdrawal of missionary relationship in China. The investment of spiritual living has been far too genuine for that. It is stated that the Christian faith has never died out in any land where the Bible has been effectively put into the vernacular. All over China that task has been done. The challenge of the present crisis is that the field shall be studied with utter devotion, to discover a way by which the Christian movement shall become more truly a Chinese enterprise, in which the Christian messenger from the West shall be a cooperating partner. Such sharers will be permanently needed.

INDUSTRIAL AWAKENING[15]

One of the most disturbing phases of China's development in recent years has been the increased use by the working class of mass action and organized agitation, not only as weapons in industrial disputes, but as a manifestation of growing political strength. There have been even larger demonstrations of this growing unrest, demonstrations of a political or patriotic character. Outstanding examples are the students' strike of 1919, the anti-Japanese boycott which followed, and the Hongkong seamen's strike early in 1922 when the whole of the China coast shipping and much of the European and Pacific shipping were paralyzed, and Hongkong was crippled. A more recent illustration was furnished when the Chinese laborers crippled the British possession of Shameen, near Hongkong, by a general stoppage of work merely over a question of personal liberty and a few regulations.

[15] From article by A. Percival Finch, correspondent in China, member of Staff of Shanghai Sunday Times. *Current History.* 22: 426-32. June, 1927.

Behind all these movements, whether a coolies' strike for an additional cent a day, or a political move with larger demands, the laboring classes of China have provided the bulk of the support. The industrialization of China is gradually leading the masses formerly inarticulate to an appreciation of the power they possess, and they are using it, despite the tradition that ascribes to the Chinese an urbane acquiescence in all things. Simultaneous with this awakening mass consciousness is the change in the status of the Kuomintang Party, which is the forerunner of the Labor Party of China.

Under the impetus of the industrial invasion, a great change has been made in mass relations, affecting many millions of people who come into closest contact with the West. The introduction of the mill and factory has vanquished the old handicraft form of native industry over a large area of China. From the foreign treaty ports on the coast, the agents of the new industrial dispensation have penetrated inland, and are penetrating even further, and the new life based on the requirements of modern industry has completely disintegrated the old economic system with its many independent semi-family units in and outside the towns and villages. At the present time there is a broad industrial belt fringing the coast, the railways and the Yangtse River, thickest and most active in the immediate proximity of the treaty ports, where over 50,000,000 people are feeling the effects of the great change wrought by industrialization. A great social change has been introduced by planting all the elements of modern industry—the mill, factory, highly complicated machinery, large-scale production—in half a dozen of China's maritime provinces. The old hand occupations cannot compete with the machine-made product. In the industrial belt the old forms of native industry have disappeared.

The change that has set in cannot be appreciated by those unacquainted with the intensely rural life of the

Chinese, and the family basis which practically eliminates the individual and makes the family the unit of social strength in the country. In the wide industrial belt many of the old customs and old modes of living have disappeared, and in some provinces the family system is gradually breaking up, accelerated by pressure of population. In Kiangsu and Chekiang, the two most highly industrialized provinces, the family as an integral unit has almost disappeared. The small agricultural lots under successive family divisions are too poor to maintain the people living on them, and there have grown up towns and villages of people who must trudge to and from the mill every day. A few years ago people with their farm products saw mills spring up and marveled at them; now there are a large number of people born in the factory district that know they are intended for the mill or factory when they reach a suitable age—which in many cases is about six years. Within the last twenty years nearly two thousand modern factories have been established in the industrial belt.

The industrial belt of China is gradually assuming the dull uniformity of the West and casting off the once rigid characteristics that so greatly distinguished the Chinese from other peoples. The old social ties are passing. The amenities of the guild no longer suffice to rule the relations of the master and his workmen. Instead of one master and a dozen men working and living together on terms of almost domestic intimacy, thousands of men and women are thrown together in a large factory where they know no authority but that yielded by the foreman or overseer and are conscious of no employer in that anonymous entity, the limited liability company. With modern industry as the basis of existence, it has been impossible to avoid the wave of social and industrial unrest which has swept other countries. High prices, higher rents and all the economic irritants of these days have come to affect Chinese industrial life. In the last

decade essential commodities have increased cost a hundred per cent. Even rice, the staple food, has not escaped. At the same time wages have not tended to increase proportionately. According to a report of the Chinese Ministry of Agriculture and Commerce, issued in 1923, the maximum daily wages for 300,000 men in 29 of the principal industries (which reduced to United States currency) range from about 20 to 50 cents, with a minimum as low as 1½ to 7½ cents a day. For 220,000 women employed in 29 principal industries the maximum wages range from 2½ to 42 cents a day and a minimum as low as 1 to 17 cents a day.

The difference between the income and the family budget has been accentuated by a higher standard of living. Chinese labor was once considered the cheapest in the world. The average wants of the Chinese were his bowl of rice, an occasional suit of cotton clothing and a roof to shelter him, a standard requiring a few cents a day, but this no longer satisfies even the humble coolie. China, besides being a large manufacturing nation, is importing goods on an increasingly large scale. In the course of its history, the foreign trade of China has doubled itself many times. Between 1885 and 1905 the foreign trade total increased fourfold. By 1914 it stood at Haikwan taels 955,403,253, and by 1923 Haikwan taels 1,726,782,369. (A Haikwan tael is worth about 80 cents.) The importation of foreign goods has led to the simple needs of the Chinese of a few years ago becoming considered inadequate by millions today. What were considered luxuries yesterday are absolute necessities today.

As the modern industrial system became established, the ideas of the Western working-class filtered in. China has recently been as much disturbed in industrial agitation as any other country. What guilds remain are either employers' federations, or bankers' federations, or purely trade unions. Only the remote towns and villages be-

yond the industrial belt preserve intact the original status of their guilds, for labor conditions in China at present are such that there can be no industrial peace unless radical improvements are introduced. Although China was one of the last countries of the world to be industrialized, it is surprising to find how little the experience gained in the industrial development of other countries has been shown, except from a technical point of view. In the treatment of labor the lessons learned by England, for example, have been forgotten or overlooked, and the squalor and misery which disfigured the early days of English industrialism have been ruthlessly reproduced in China.

Economic insecurity, long hours, insanitary factories and other bad conditions have driven the Chinese workers to organize in unions and give many artisan guilds the objective of Western socialism. Hundreds of labor unions have been formed, with an estimated membership of 500,000. Canton has over 200 unions, Shanghai nearly 100 and Hankow, Wuchang, Tientsin, Wusih and dozens of smaller centers smaller numbers of labor organizations. Along the coasts the seamen have a very powerful union, and the Peking-Hankow railway workers are united in an organization that is extending to other railways and growing in strength. The strike is now a recognized weapon and there are very few branches of industry in which the workers have not seen fit to resort to this means of forcing the employers' hands. Well-planned and well-organized strikes have demonstrated the Chinese laborers' capacity for solidarity. An examination of the strikes within the last five years shows that the majority have proved successful. In Canton, in 1921, there were twenty-one strikes, only one of which failed. From 1919 to 1923 there were two hundred and seventy-nine strikes within the international settlement of Shanghai. Of the sixty-nine more important strikes in China from June, 1921, to February, 1923, forty-two were com-

pletely successful, only a few of the remainder being total failures.

Under the rule of the Tuchuns there is no tolerance for union activities, and they are suppressed with a fierce vindictiveness. Many a labor leader has expiated his defense of the workers' rights with death. General Wu Pei-fu, while Military Dictator of China, was one of the most strenuous enemies of labor unions. He ended a strike on the Peking-Hankow Railway by shooting down the strikers and executing the leaders, and on a subsequent occasion he added to his record by shooting five more labor leaders at his yamen in Loyang.

This display of the iron hand to stamp out activities which are legal in other countries created much feeling among the laboring classes of China, and was one of the factors turning them against the Peking Government. In their search for support denied them in their own country, they appealed to other countries distinguished by labor triumphs, denouncing militarism as even worse than industrial exploitation. An indication of the feeling among the Chinese workers is given by the following quotation from a letter sent in March, 1924, by a number of Shanghai unions to Ramsay MacDonald, the British Prime Minister, and M. Karakhan, the Soviet representative at Peking:

> The militarist Government in this country has become tyrannical to the extreme. The education of the worker is still in its tender infancy, and because of this the laborers have to suffer under the militarists' oppression in addition to the capitalists' exploitation. Moreover, all the outcast politicians and some of the educated classes who call themselves Socialists take the opportunity of the labor movement to show their apparent kindness to the workmen but carry out their plans for enriching themselves. From the sacrifice of Hwang-Nai and Pang Jen-chuan on Jan. 7, 1922, and the tragedy of the Peking-Hankow Railway workers on Feb. 7, 1923, we can clearly see the atrocity of the militarists, combined with the capitalists and the sinister policy of the false Socialists.

This complaint is typical of thousands made in manifestoes and documents issued broadcast since the labor

movement assumed its present proportions. Militarism is the flail that is driving the laborers to seek redress in their own organizations.

NEW STATUS OF WOMEN[16]

To make a physically strong wife, China has been doing her best in the late years. "One of the social reforms most agitated in China is the natural foot movement," says Edward Warren Capen. Societies were organized for its promotion. Interesting devices were invented to discourage the bound-foot custom. In some places, natural-foot-contests were held; in others, emblems bearing the inscription of "not marrying bound-foot girls" were pinned on the uniforms of all school boys. To-day Chinese women feel ashamed to have their feet bound, and become disappointed when they try to recover them and find it impossible in spite of medical treatment. Remnants of such half-mutilated feet of the old generation can still be seen; but young girls have now uniformly natural feet. Meanwhile, as soon as her feet are unbound, the Chinese girl finds recreation on the play-ground. In girl schools, gymnasium classes are conducted as in schools of the West. Girl teams of tennis players and basket-ball players are becoming a common spectacle. In the summer season, when schools have their commencement exercises, it is now a good pastime to go to the exhibitions, given by girl schools, of gymnasium dance, free hand exercise, and mild athletics, all performed by the daughters of the Chinese woman who figures ridiculously in moving pictures particularly in America, with bound feet and tottering gait.

In the direction of education, the Chinese wife has

[16] From article, "Changing Chinese Social Mind," by Nelson Nai-cheng Shen. *Chinese Social and Political Science Review.* 8: 151-6. April, 1924.

also secured an equal status with her husband. A complete system of schools is now provided for her education. She can now go to the primary school in the country; finishing there, she can go to the girls' higher primary school in the near-by city; finishing there, she can go to the girls' middle school or girls' normal school. Each city, large or small, has now girl schools of the last three kinds. If she wants a still higher education, she can go to the girls' high normal schools in big cities. Recently, after years of agitation and in face of stubborn opposition from old China, she won a culminating victory in the matter of education. Thus the facts run: "At the suggestion of Chancellor Tsai Yuan-pei and other prominent Chinese educationists, both the Government University and the Higher Normal College are enrolling girl students. This is an epoch making event in the Chinese educational history; and the movement is strongly condemned by scholars and others of the old Chinese school type as detrimental to the morals of the young Chinese generation."

But old China has no more the ruling voice; and coeducation is being quickly adopted in spite of the protest. At this moment, eight months after the quoted news came to the writer's notice, he is sure of the correctness of the statement that, in all large and medium cities, most universities and colleges have been made coeducational, and many of the middle schools are made coeducational too. As to the higher primary schools, leading Chinese authorities are still at variance as to whether they should also be made coeducational at once or only gradually. The primary schools did not discriminate sex from the start. After all this is done, the Chinese girl has now approximately the same educational opportunity as her brother; and the new Chinese wife will naturally turn out to be as well-educated as her husband.

As soon as the wife becomes healthy and educated,

the supremacy of the husband over the wife naturally suffers. But this is not yet all. The Chinese woman is now accorded far more social rights than she used to have.

Whereas formerly it was not conventional for her to appear on the streets too often and to talk to men too freely, now she elbows through busy thoroughfares, rides on the tram cars, chats with male friends, and entertains parties of the other sex. To all public places, from tea-houses, theaters, up to the boisterous places of mass meetings, of citizens' conferences, she insists on going. Whereas, formerly, her words were often disregarded, and her counsel often looked upon as necessarily evil, now she stands on the corners of streets or platforms of public meetings, pointing to the audience of men and says: "You must do so and so in order that China may be bettered." Also "in newspaper work woman is coming to the fore very rapidly." Whereas, formerly, women's business was confined to the caring for children and keeping houses, now there are women in charitable school work, in labor relief work, in war relief work, and in other things along the line of social service. Woman's undertaking like the following is now common: "Five hundred Chinese women and girls will participate in the blue triangle pageant of the Peking Y. W. C. A. to be held in the Central Park on the afternoon of Oct. 21." Whereas, formerly, she never held positions of honor, except, sometimes, the usurpation of the throne by the Empress, now she is often elected by men as representative of an organization, president of a society and other positions of honor and importance. In schools, there are now women teachers; in hospitals, there are women doctors; and in colleges and universities, there are women professors. The Chinese woman, therefore, is now accorded pretty nearly the same social rights as her husband.

Then, economically, the Chinese woman will also

soon have the same rights as her husband. It was the old practice that woman did only home work and home industry. Hence, she did not earn money on the same scale as her husband, and was economically dependent on the latter. But now things like the following are happening: "Through the concentrated efforts of women's clubs in Canton in pressing the matter of recognizing women's claims, a young woman has very recently been appointed to a government clerkship of responsibility, the first in the country it is said. Also the Canton Samshui Railway and the Canton Telegraph Company, yielding to the clubs' pressure have voted to approve the employment of young women. In Peking, a commercial school for girls has just been opened. The Capital also boasts of a savings-bank for women and girls.—One authority states that around Canton no less than forty factories are owned and operated by women." By far, Peking and Canton are not the only cities where women can sell their labor. Everywhere, in cotton mills, weaving factories, silk factories and various other manufacturing plants, where lightweight machinery is used, women are employed in large numbers. For the first time, ways are open to the Chinese woman to be economically independent of her husband by earning her own wage. Economic independence of women naturally undermines the supremacy of the husband.

Last of all, the Chinese women is steadily gaining political rights. It is a puzzle that the Chinese woman, for thousands of years confined herself to her home, when once released, at once finds intense interest in politics. As early as 1911, during the Revolution, "we heard for instance of 'regiments' of Chinese women getting measured for men's uniforms and going up to fight at Nanking and Hankow. We heard of turbulent crowds of women in enthusiastic meetings flinging their jewelry on the platform for the war chest of revolutionary cause; we heard of women bomb throwers, of

women spies, of women members of the 'Dare to Die' corps, and of a dozen other picturesque and spirited activities." After the establishment of the Republic, a suffragette society was soon formed. Unfortunately it was early crushed by the drastic measures of the conservative President Yuan Shih-kai. But in recent years, woman agitation for political rights has revived. The not insignificant results, already achieved, can be illustrated by quoting two pieces of recent news:

> Madame Tang Wai-fang, a well known leader of the Canton Women's Union, has been elected a member-at-large of the advisory council of the city of Canton—The women are trying to get the governor to appoint another women as one of the ten official members, so that Madame Tang may not have to sit in the council alone as the only one of her sex. (Sept. 1921)
>
> The women of Changsha are strenuously contending for a better legal status for Chinese womanhood. Taking advantage of the present sessions of the Revision Committee of the Hunan Provincial Constitution, the Changsha women's union sent a delegate to defend women's rights. By force of forensic eloquence is several parliamentary debates, the delegate was able to fight several issues to a favorable conclusion in face of the opposing party.

In the new provincial constitution of Kwangtung Province, there is the comprehensive phrase of "without sex discrimination in the application of all laws." In the new provincial constitution of Hunan Province, woman suffrage is granted. A nation-wide woman suffrage movement is certainly forthcoming, as soon as the civil war is over, and the political condition becomes more stable. The author of "Through the Chinese Revolution" predicts: "It seems quite likely that China will be one of the first countries in which women will obtain seats in political assemblies, thus accomplishing in a moment the social evolution of several thousand years."

To summarize: through the advancement of women's health, of women's education, and through the acquirement by her of new social rights, economic rights, and political rights, the supremacy of the husband over the

wife has largely been destroyed. Bertrand Russell witnesses the fact in saying: "I became acquainted with various married couples living in houses of their own where the wife enjoys all the liberties that an English wife would have."

INTERNATIONAL RELATIONS

GENERAL DISCUSSION

ENTRANCE OF FOREIGNERS INTO CHINA[1]

Evidences of the fact abound in Chinese history that the presence of the alien in China dates back to time nearly immemorial. Embassies from the neighboring countries; commercial missions disguised as bearers of tribute; daring explorers on land and at sea; missionaries of the Sacred Book of Buddha, the Koran and the Bible; and refugees from persecution—these visited the imperial capital or its outlying provinces, lived there and in some cases died there in days as old as written records. Putting aside legendary notices altogether, which make mention of visitors to the Chinese Empire as far back as the reign of Hwangti (2697 B.C.), the Hebrews, for instance, fleeing from persecution in Egypt, began to migrate into the western parts of the Empire long before the beginning of the Christian Era, and established a colony of their own, which still exists today in Kaifung Fu, the capital of Honan Province. In A.D. 120, a little more than two centuries after the first Chinese embassy was despatched to Parthia, the King of Shan, a country southwest of China, sent to the son of Heaven a tribute-bearing mission with musicians and jugglers from Tatsin, which is now known to have been the Roman Orient. Half a century later, in 166, the representatives of Emperor Marcus Aurelius Antonius arrived in Loyang with ivory, rhinocerous horns, and tortoise shell as presents to the Chinese Throne. The mission of 166, though it was able to reach the Chinese capital and was received

[1] From "Status of Aliens in China," by Vi Kyuin Wellington Koo, Ph.D., English secretary to the president of China. *Columbia University Studies in History, Economics and Public Law.* 50: 13-31. 1912.

with courtesy and kindness, failed, as most attempts of the kind of subsequent days did, to inaugurate definite commercial or diplomatic relations between the two greatest empires in the world.

The failure of the first Roman embassy in accomplishing its ulterior objects, however, did not put an end to the influx of foreigners into the Celestial Kingdom. Though not disposed to enter into formal relations with distant countries, the Chinese Emperor entertained no objections to the coming of their subjects into his realm. The Parthians continued to visit China, followed by the Greeks, the Persians, the Nestorians, the Buddhist pilgrims, and the Arabs, clear down to the so-called Dark Ages in the West. The great stimulus which urged these adventurers to undertake long journeys and suffer hardships was the trade in the natural and artificial productions of China and India, which had already become considerable in extent and value by the middle of the ninth century. Abu Zaid, one of the two noted Arab travelers of that time, speaks in his narrative (A.D. 877) of the sack of the city of Canfu, then the port of all the Arabian merchants, in which one hundred and twenty thousand Mohammedans, Jews, Christians, and Magians, or Parsees engaged in traffic, were destroyed.

Among the medieval travelers to the Chinese Empire many have since become well known for the knowledge of Central Asia which their wanderings gave to Europe; and particularly of this class are the papal nucios sent out from Rome in the thirteenth century. At that time the irresistible onslaught of the Mongols under Genghis and his successors, with its attendant ravages, was inspiring terror in the minds of the Europeans. Pope Innocent IV, with a view to exhorting the invaders to be more humane, prepared a papal message and sent John of Plano Carpini, a Franciscan monk, to deliver it to the king of the Tartars in 1246. To the admonitions and exhortations of the Bishop of Rome, the Mongol king made a terse, vigorous and arrogant reply.

Nearly twenty years later, in 1274, Pope Gregory X sent another mission to the Chinese Emperor, composed of the two Polo brothers, Mateo and Nicolo, and accompanied by Marco Polo, the latter's son. However, both these missions failed in their object, namely, the promotion of the Roman Catholic faith in China. For this reason a third embassy was sent out by Pope Nicholas IV in 1288 with John De Corvino at its head, and this time the wishes of the pope were fully carried out in Peking. To complete the list of noted travelers in the Celestial Empire, there must be mentioned the names of Rubruk, who entered the boundaries of the Empire in 1253; Friar Odoric, who made a tour in China in the first part of the fourteenth century, and Ibn Batuta, the Moor, who visited it about 1342.

It is thus seen that throughout the ancient and middle ages there was almost a continuous flow inward and outward of foreign subjects in China. The question arises, What treatment did they receive from the Chinese Government? From the records of what they did in China and from narratives which they wrote of their experiences in the course of their travel therein, it appears that they enjoyed many privileges and ample protection. In the first place, during this period there was evidently no policy of seclusion and confinement in China: her doors, both on her land frontiers and her coasts, were kept widely open to receive whoever chose to enter. Travelers who went to China by water, such as Friar Odoric (1286-1331) and Ibn Batuta (1342), and those who like Carpini journeyed on land, appear to have encountered no difficulty at all in gaining admission at her portals. Nor were there laws in existence restricting the free circulation of foreigners within the Empire. Alien visitors who made tours of the country as Odoric did, visiting one city after another, hardly faced any official obstruction. It seems to be true that a certain kind of passport was necessary to travelers in the country, but, as will be seen later, these were designed to facilitate

and protect, rather than to hinder and restrict, them in their travel. Similarly, foreign merchants must have enjoyed the same freedom in entering the country; for this alone could account for the prosperity of commerce in the Provinces of Kwangtung, Chekiang, and Fukien during the period under consideration. Foreign trade had so developed, even in 990 B.C., as to make it worth while to levy a duty on imported goods in that year. "During the Tang dynasty (A.D. 618-907) a regular market was opened at Canton and an officer was sent thither to collect the government dues on sales."

There being no permanent diplomatic officers accredited to the Chinese Empire at that time, except, possibly, the papal legate John de Marignolli, who as the representative of Pope Benedict XII, resided in Peking for four years from 1338, the protection of the aliens in the country was left entirely to the Emperor. Those who went to China then were allowed to travel or reside therein, not by right, but simply on sufferance, and could have been easily subjected to restrictions and even discriminations without thereby giving ground for a rightful protest. But the alien merchants and travelers in China of that time implicity confided to the Emperor the security of their lives and property within his dominion; and it may now be said that their confidence was not at all misplaced. The Imperial Government placed the aliens practically on the same footing as its own subjects: it opened to them public employments and extended to them the fullest protection. Olopum, one of the Nestorians who entered China in the Tang dynasty, was raised to the rank of high priest and national protector by Emperor Kautsung. Marco Polo, though a Venetian by birth and allegiance, was appointed to the office of Prefect of Yangchow, which he held for three years. John de Corvino, a Romish missionary, was given an imperial audience and allowed to build a Catholic church with a steeple and bells, preach the gospel, and baptize, even

in the capital of the Empire. In their travel from one part to another in the country the same passports insuring the protection of the local authorities were issued to foreigners and natives.

With the beginning of the sixteenth century a marked change took place in the attitude of the Chinese Government toward the foreigners within its territory. Instead of continuing to treat them liberally, the Emperor, from that time down to the middle of the last century, pursued, as a rule, increasingly vigorous measures of surveillance, restriction, and, to a large extent, exclusion in his dealings with the alien merchants and missionaries in his empire. However, when the circumstances and conditions of the time are examined into it will be found that the adoption of this new and apparently retrogressive policy on the part of China was neither unnatural nor unreasonable.

First of all, reports of the conquest of the East Indies and of the forcible occupation of parts of India and the Malay Peninsula by Portuguese adventurers at the commencement of the sixteenth century, as an immediate outcome of the discovery by Vasco da Gama of the maritime route from Europe to Eastern Asia around the Cape of Good Hope, naturally awakened suspicions in the minds of Chinese rulers as to the ulterior motives of those foreigners who were flocking in increasing numbers to the shores of their dominions. The report from the Sultan of Malacca that the Portuguese had by force of arms captured his island-territory in 1511 further alarmed the Emperor, who, influenced by a subject of the Sultan, at once ordered steps to be taken to check the advance of the first Portuguese mission to China, which was then on its way to Peking, and appointed a court to examine its character. Satisfactory credentials were demanded of Thomé Perez, the chief emissary, and his colleagues, but they failed to produce them; thereupon they "were adjudged to be spies and sent back to

Canton to be detained till Malacca was restored." The aggressions of the Spanish in the Philippines in 1543 were likewise known to the Chinese; and undoubtedly it was a sense of fear inspired by this knowledge that such deeds might be duplicated on their own coast which led them peremptorily to refuse the admission of a party of Spanish Augustine friars in 1575 and again in 1579, and caused them to imprison at Canton in 1580 Martin Ignatius, the envoy of Philip II of Spain.

In this connection it is to be remembered also that toward the end of the sixteenth and during the first part of the seventeenth century the internal conditions of China were such as to make it very desirable to raise a bolt across her doors. The life of the Ming dynasty under its effete and supine rulers was then already at its ebb; the spirit of rebellion was rife in most parts of the Empire; the Manchus were harassing the northern provinces; in short, the country was then in a hopeless state of defence against the advent of a foreign foe, as indeed she always had been in every previous period of her transition from one dynastic rule to another. It was therefore natural that the rulers of the time should be peculiarly sensitive to any appearances of foreign aggression, and keenly apprehensive lest the strangers from the West might take advantage of China's weakness and resort to schemes of occupation and conquest.

But the apprehensions of attack by designing westerners from without, aggravated as they were by the unsettled conditions within, were not the only reasons for the enforcement of a stringent policy toward aliens in the country. There was a more cogent argument; there was a necessity for the changed attitude. The atrocious conduct of the Portuguese and others appeared to be a just cause for taking precautions to prevent their gradual usurpation of sovereignty over the southern provinces.

As early as 1506 the foreign traders began to be un-

scrupulous and resort to lawlessness for the purpose of gaining admission into China. In 1518, only shortly after his brother Ferdinand succeeded with difficulty in obtaining the permission to trade at Canton, Simon Andrada seized the island of Shong-Chuan (also called St. John's) with his squadron, erected a fort there, committed acts of piracy on the native trading-vessels, and engaged in open hostilities with a Chinese naval force, which however, succeeded finally in dislodging him from his ill-gotten stronghold. Twenty years later, in 1537, the Portuguese again clandestinely took possession of several islands in the vicinity of Canton. "Macao was commenced under the pretext of erecting sheds for drying goods introduced under the appellation of tribute, and alleged to have been damaged in a storm." At Ningpo and Chinchow where they established a trading factory in 1518, their presence was hardly less objectionable and they suffered accordingly. One sinologue writes:

> There the conduct of the foreigners had been infamous. They outraged every law and set the feelings of the people at defiance. They refused to submit to the native authorities, and on one occasion in revenge for one of their number having been cheated by a Chinaman they sent an armed band into a neighboring village and plundered the natives, carrying off a number of women and young girls. By such deeds they brought down on themselves the vengeance of the people, who rose and massacred eight hundred of the offenders and burnt thirty-five of their ships. At Chinchow in the province of Fukien they invited disaster by similar misconduct.

The subjects of the king of Portugual were, however, not the only disturbers of peace and order in the Empire. The Dutch were scarcely less violent in making their début on Chinese territory. They commenced their intercourse with China by the forcible occupation of the Pescadores, coercing the residents there to build forts for them, and expelling them from the islands when they refused to obey the order. They evacuated their new possessions only when they saw that they stood a very slim chance of overcoming the 5000 Chinese troops that

were approaching to dislodge them; and then they retired only to seize Formosa, their occupation of which gave occasion in 1662 for a war with the Chinese, which ended with their definite expulsion from it. The violent entry of the Dutch on Chinese territory was evidently still remembered in 1655 when the Dutch East India Company, having found forcible measures not to be advancing their commercial aspirations, resorted to the humbler means of sending a mission to Peking to petition for the liberty to trade; and after obsequiously performing as ordered, every kind of humiliating ceremony and homage before the Emperor, the Dutch representatives obtaining nothing but the meagre privilege of sending an embassy with four ships of trade once in eight years. The two subsequent missions, in 1664 and 1795 respectively, brought forth no better results. Ruder still was the manner in which the Englishman was introduced to the Chinese nation.

These examples perhaps suffice to show that the conduct of the alien traders in China during the sixteenth centuries was far from being such as to make a favorable impression on the Chinese Government or to convince it of the desirability of maintaining foreign commercial intercourse. It is, therefore, not surprising that as time went on China began to restrict more and more the conditions under which trade might be prosecuted; that she gradually turned a deaf ear to the repeated petitions, presented by imposing embassies, for an extension of the trading privileges; that by the middle of the eighteenth century Amoy and Ningpo were closed to commerce and the liberty to trade was confined to the single port of Canton; and that even the people, who were always conscious of the benefits of international commerce and desirous of promoting it in spite of the strong disinclination of their rulers toward extensive trading, became finally willing and glad to abide by the imperial policy of non-intercourse, and thereby forego their gains from unlimited foreign trade.

Thus it seems pretty clear that the policy of non-intercourse, adopted at the beginning of the modern era and enforced with increasing vigor in the following three centuries, was but an outcome of the unsatisfactory conditions bred by foreign intercourse in its commercial and religious aspects during that period. It was not espoused and pursued by China without cause or reason. As viewed by her rulers of the time, it was at once a wise and necessary measure: it was intended to be both a remedy for the ills which foreign trade and foreign religion had already produced on their territory and on their subjects and a preventive against the dangers to the safety of their nation which appeared still latent in them.

OPEN PORTS OF CHINA[2]

The residence of foreigners in China, excepting that of missionaries, who may live where they please, is restricted to certain cities and towns known as "open ports." Formerly none but seaports were open to such residence; but at present a large number of inland cities are included which only by courtesy can be called "ports," much as one of our own interior cities, Columbus, Ohio, for instance, is for customs purposes a port of entry into the United States.

During the eighteenth century the foreign trade of China was very largely in the hands of the British East India Company, which had a monopoly of the British share in it. Various attempts were made by the company to extend its trade to other ports than Canton, but without success. The Co-Hong at Canton, which monopolized the trade from the Chinese side, opposed such attempts with all its influence, and that was too great to be overcome. The British East India Company was dissolved in 1834, but the Chinese Co-Hong continued to

[2] From article by E. T. Williams, University of California, fomerly resident missionary, and in consular and diplomatic service. *Geographical Review.* 9: 306-34. April, 1920

enjoy its special privileges, for which the Chinese Government exacted a good share of the profits. To meet these demands the Co-Hong had to squeeze the foreign merchants. Through the Co-Hong, too, the Chinese officials imposed upon the foreigner many irksome regulations. Complaints of excessive charges and annoying restrictions were among the chief causes of the first war (1840-1842) between Great Britain and China. That war resulted in the Treaty of Nanking, by which the Co-Hong was abolished, all monopolies were forbidden, and five ports instead of one opened to the residence and trade of foreigners.

These five ports were Canton, Amoy, Foochow, Ningpo, and Shanghai, the same ports which for more than seven hundred years had at various times participated in the trade—the port of Amoy being for all practical purposes identical with Chüanchow, a few miles distant. By the same treaty the island of Hongkong, lying just outside the mouth of the Canton estuary, was ceded to Great Britain.

The establishment of a free port at Victoria on the island of Hongkong under the protection of Great Britain, where merchants were no longer annoyed by the heavy exactions and petty restrictions of the Canton officials, soon deprived the latter city of its prestige. The great business houses made their headquarters at Hongkong, and in the safe and spacious harbor of Victoria the vessels of all nations gathered to load and unload their cargoes.

Hongkong is a British crown colony, and, strictly speaking, its chief city, Victoria, cannot be classed with the open ports of China. But the trade which centers there is substantially a trade between China and foreign countries. The port is a place of shipment abroad of Chinese wares and a landing place for imports into China. The local consumption of Chinese and foreign goods is a negligble quantity compared with the volume

which passes through the port. There are no statistics of this trade, but it is estimated to be about one-half that of Shanghai. There is, however, a record of the shipping, the tonnage of which in 1906 amounted to 8,812,827 tons for vessels to and from foreign ports and 13,640,250 tons for coastwise shipping, a total of 22,453,077 tons, making it one of the largest ports in the world in amount of shipping.

The colony was enlarged in 1860 after the second war with Great Britain by the cession of Kowloon on the mainland opposite Victoria. This made the whole area of the colony 29 square miles. A further addition was made in 1898 by the lease for 99 years of the hinterland of Kowloon and the waters of several bays and by the inclusion of a number of islands along the coast, making the whole area 1,031 square miles instead of 29. About one-half of the addition is water. The land area was increased nearly fifteen-fold.

The foreign trade of China, however, is not confined to that which is carried on by sea; from ancient times there has been an important exchange of commodities over the land frontiers. The overland traffic which once added to the luxury of Antioch and the wealth of Constantinople ceased long ago, but Moscow fell heir to it, as is witnessed by the existence there of the Kitai Gorod the quarter of the city where that trade was conducted. The first treaty which China ever signed with a European state, that of 1689 with Russia, provided that the subjects of either power might cross the frontier for purposes of trade. That of 1727 permitted a Russian caravan of not more than two hundred merchants to visit Peking once every three years and, during the interval between the triennial visits to Peking, allowed an exchange of commodities only (no silver to be used) at two places on the frontier. One of these, Mai-mai-cheng, is still a mart of some importance. It is just across the boundary from the Russian city of Kiakhta.

Trade at Kuldja, at Ili, and at Tarbagatai, in the extreme western part of Mongolia, began as early as 1874 without a treaty but was regularized by the treaty of 1851. Article V of the treaty of 1860 with Russia permitted trade at Urga, the capital of Outer Mongolia, and at Kalgan, 135 miles north of Peking, at one of the passes through the Great Wall. The same treaty permitted caravans to visit Peking as often as they liked, provided not more than two hundred merchants were in any one caravan. This treaty also opened Kashgar, in the western part of Chinese Turkestan. The treaty of 1869 permitted merchants to proceed for purposes of trade to all parts of Mongolia where Chinese officers were residing; and that of 1881 agreed to the appointment of Russian consuls to Kobdo and Uliassutai in western Mongolia, to Hami in eastern Turkestan south of the Tien Shan, to Urumchi and Kucheng in Zungaria, as well as to Turfan in the region of that name, and Suchow in the extreme northwestern corner of the province of Kansu. Turfan, however, it was expressly stated, was not open to the residence of foreign merchants.

After the second war with Great Britain (1860), in which France participated, eleven more ports in China were opened, four on the great Yangtze River and seven on or near the seacoast. The former were Hankow, Kiukiang, Nanking, and Chinkiang; the latter were Newchwang in Manchuria, Tientsin, the gateway to the capital, Chefoo in Shantung, Swatow at the eastern extremity of Kwangtung province, of which Canton is the capital, Kiungchow in the island of Hainan, and two ports in Formosa now in the possession of Japan. Nanking, being in the possession of the Taiping rebels, was not opened; its opening did not take place until 1899.

On February 21, 1875, Augustus R. Margary, a British consular officer, was murdered in the province of Yunnan, on the southwestern frontier of China, out of which unfortunate incident came the British treaty of

1876. This provided for the opening of four more cities: Ichang and Wuhu on the Yangtze, Wenchow on the eastern coast, and Pakhoi on the southern.

After the war of 1884 between France and China which led to the annexation of Tonkin to Indo-China, pressure was brought to bear to force the opening of three ports on the southwestern frontier: Lungchow in Kwangsi, Mengtsz and Szemao in Yunnan.

The delimitation of the boundary between British India and Tibet by the convention of December 5, 1893, was made an occasion for asking for the opening of Yatung in Tibet as a trade mart. The following year, on March 1, another convention was signed delimiting the boundary between Burma and China and providing for an open town on that frontier. The town chosen was Tengyueh in Yunnan.

During that year China was at war with Japan. The treaty of Shimonoseki opened four interior cities to foreign residence and trade: two on the Yangtze, Chungking and Shasi; and two on the Grand Canal, Hangchow and Soochow.

On February 4, 1897, the frontier of Yunnan and Burma was rectified so as to give additional areas to Burma, and three cities on the Sikiang, or West River, were opened: Wuchow in Kwangsi, Shamshui and Kongmoon in Kwangtung.

The treaty of Shimonoseki of 1895 between China and Japan had ceded to the latter the southern part of Manchuria. To this Russia, who had fixed her eyes on Manchuria, decidedly objected, advising Japan for the sake of the peace of the Far East to return the territory to China. France and Germany supported Russia in this protest. The very next year Russia demanded and obtained from China by way of compensation for her good offices the right to construct a railway, the Chinese Eastern, across northern Manchuria. There is reason to believe that she also contemplated the lease of Kiaochow

Bay. Her fleet wintered there in 1896-1897. But Germany also wanted compensation and in the summer of 1897 examined the coast of China with a view to leasing a port for a naval station. Unfortunately for China, in November, 1897, a band of outlaws attacked and looted a village in southwestern Shantung. Several persons were killed, among them two German missionaries who happened to be spending the night in that village. There was no anti-foreign movement in progress; it was merely by chance that these two Germans were in the village. A German fleet immediately visited Kiaochow Bay, landed a force of bluejackets, and seized the forts. After securing China's assent to the payment of a money compensation and to the dismissal of the governor of the province, Germany also demanded and obtained the lease for 99 years of the waters of Kiaochow Bay, the islands in the bay, and two small pieces of territory—one on either side of the entrance. She also obtained the right to build a railway from the port to the provincial capital together with certain mining rights and other economic privileges in the province of Shantung. The lease included the town of Tsingtao, which has since become a beautiful city. Kiaochow Bay was dredged and is now the finest harbor in China north of the Yangtze.

If Russia was maneuvered out of Kiaochow, she soon obtained an equivalent in the lease of the Kwangtung peninsula of southern Manchuria, with its two harbors, Port Arthur and Dalny, and the right to construct a railway from these ports to Harbin on the Chinese Eastern Railway.

Great Britain, jealous of Russia, demanded and obtained the lease of Weihaiwei, on the northern coast of Shantung opposite Port Arthur, as well as an enlargement of her Hongkong colony by the lease of certain neighboring islands and the extension, also by lease, of the territory of Kowloon on the mainland. France also asked and was granted compensation in a lease of the

bay of Kwangchow-wan, with adjoining territory. These leases were all granted in 1898.

In January of that same year the British Government had offered to make to China directly and officially a loan of £12,000,000 to enable the latter to pay the balance of the indemnity due Japan for the retrocession of southern Manchuria. Russia and France objected strongly to a loan by a single power, and in the end the government loan had to be abandoned. China then negotiated for a larger loan from the Hongkong and Shanghai Banking Corporation in conjunction with the Deutsch-Asiatische Bank. The rejection by China of a loan from the British Government, which had once been accepted, was an affront for which Great Britain demanded compensation. A part of this compensation was a promise by China to open the city of Nanning in Kwangsi and a port in Hunan, which was afterwards decided to be Yochow on the Yangtze at the entrance to Tungting Lake.

The demand by European powers for leases of territory in various parts of China and the international scramble for loans and railway concessions led to talk of the partition of China and aroused a very bitter feeling in the breasts of the Chinese people. It was the immediate cause also of the proposal by Secretary of State Hay of the policy of the "open door" and the direct incitement to the anti-foreign movement, miscalled the "Boxer" rising. Another result of importance was the adoption by the Chinese Government of a policy of voluntarily opening desirable ports so that they might remain under Chinese control. In accordance with this policy three ports were opened by China in 1898: Chinwangtao, the winter port of Tientsin; Woosung, at the mouth of the Whangpoo, where it enters the Yangtze; and Santuao, in Fukien. Subsequently other cities were opened on the same basis, five of them in all: Tsinan, the capital of Shantung, with Weihsien and Chowtsun in the same province as subordinate to the Tsinan cus-

toms, in 1904; Haichow, on the coast of northern Kiangsu, in 1905; and Changteh, in the province of Hunan, in 1908.

It was in the year 1904 that war broke out between Russia and Japan, fought almost wholly on Chinese territory. In anticipation of this the United States Government in its commercial treaty of 1903 secured the opening of Mukden and Antung in Manchuria. At the same time Japan in a similar treaty asked for the opening of Tatungkow at the mouth of the Yalu in Manchuria. After the treaty of peace with Russia had been signed in 1905 Japan by convention with China obtained a recognition of the former's succession to Russian rights in southern Manchuria and persuaded China to open 18 more places in northern and southern Manchuria: Manchouli, Hailar, Tsitsihar, Aigun, Sansing, Suifenho, Harbin, Hunchun, Lungchingtsun, Ninguta, Kirin, Changchun, Fakumen, Tungkiangtze, Tiehling, Hsinmintun, Liaoyang, Fenghwangcheng.

While Russia was busily engaged in the war with Japan Great Britain sent Younghusband to Lhasa and won thereby a privileged position in Tibet. The convention signed in 1904 was, with some modifications, ratified by China in 1906. In accordance with its stipulations two more towns were opened in Tibet: Gyangtse and Gartok.

In 1909 Japan and China had a misunderstanding concerning the status of certain Korean settlers in the Chientao region of eastern Manchuria. After some negotiation the matter was adjusted, and three more towns in that part of Manchuria were opened: Chützechieh, Totaokow, and Paitsaokow.

In 1914 China was further persuaded by Japan to

open the new port being constructed at the head of the Gulf of Chihli, Hulutao, and five places in the province of Chihli: Chihfeng, Dolon-nor, Kweihwacheng, Jehol, and Kalgan. The last-mentioned had long been open to Russians.

Among the "Twenty-one Demands" made upon China in 1915 by her neighbor were those for the opening of additional towns in Shantung and in eastern Inner Mongolia. Ten were selected in Shantung: Kiaochow, Lungkow, Tsingtao, Tehchow, Lintsingchow, Yangkiokow, Tsining, Yenchow, Ichow, and Poshan. Eight were added for eastern Inner Mongolia: Lichüan, Kailuhsien, Hsiao Kulun, Linsi, Talai, Chinpeng, Pingchüan, and Wuchanghsien.

The opening of Wanhsien in Szechwan was provisionally granted in the British treaty of 1902, but the stipulations were not fulfilled and the right lapsed. Subsequently in 1917 the Chinese government opened the place upon its own initiative.

Thus there are not less than 107 cities and towns of China open to foreign residence and trade.

The open ports of China may be divided into five classes. In the first class are included those cities at which no area is set aside for the creation of a foreign settlement. Such a port is Chefoo.

The second class comprises those in which concessions in the nature of perpetual leases of land have been granted to one or more powers for the establishment of a settlement under the control of the lessee power, which issues deeds to the land renters but also pays a stipulated annual rent to China in recognition of Chinese sovereignty. In these concessions the police powers are exercised by the lessee. In some a municipal council is elected by those paying taxes of a certain amount, but

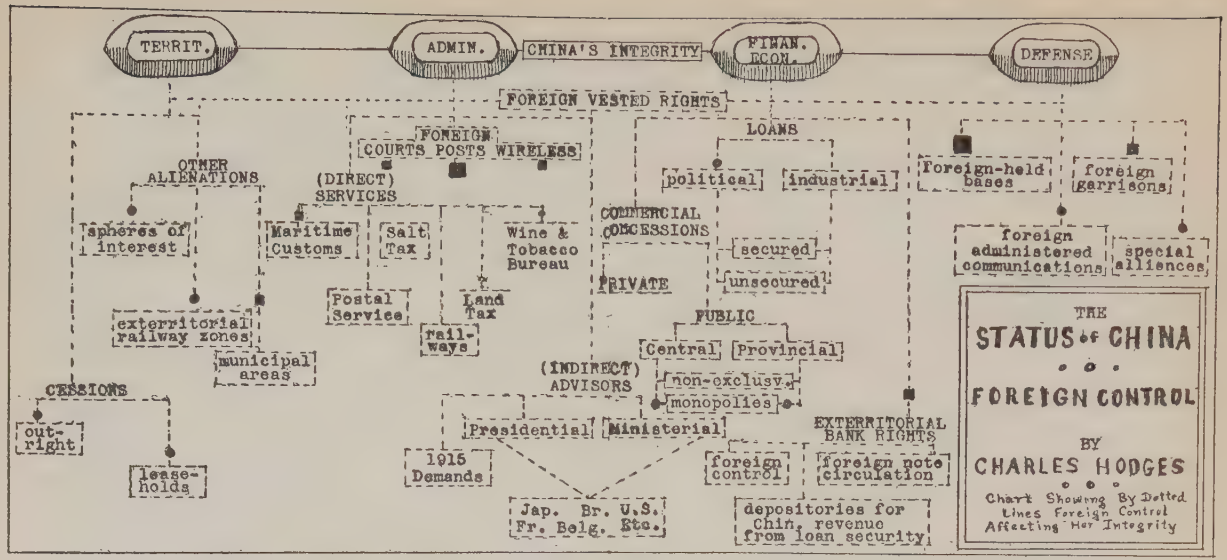
all acts of the council must be approved by the consul of the lessee government. In other national settlements there is no council whatever; the control is exercised by the consul alone. Tientsin and Hankow are examples of this sort.

The third class embraces those ports where there have been created international settlements governed by the foreign residents themselves, who elect a municipal council that exercises the usual powers of such bodies. Shanghai and Amoy are ports of this sort. One objectionable feature at Shanghai is the exercise by absentee landlords of the right of suffrage. This is done by proxy, one person at times holding ten or a dozen proxies.

In the fourth class are placed those cities which have been opened by China upon her own initiative and with regulations adopted by her own government. At these ports there is usually established a quarter for the residence of foreigners, but the municipal government is Chinese. Such are Tsinan and Changsha.

In all the four classes mentioned the foreign resident is under the jurisdiction and protection of his own government, represented by the consul.

The fifth class includes the open ports in territories that have been leased for a term of years to a foreign power. In these ports the lessee power exercises sovereignty during the continuance of the lease. At the same time the Chinese customs functions at the port and collects duties on all imports going from the free area into China and on all exports coming from China into the free area but pays a proportion of the revenues thus derived to the lessee power for municipal expenses. Kiaochow leased territory is of this sort, and Tsingtao is a port in that territory where such procedure obtains. In such ports there is no exercise by any consul of extraterritorial jurisdiction. He is accredited to the lessee power, and his nationals are amenable to its jurisdiction.



ALIEN CONTROL IN CHINA

The large black squares indicate privileges the powers pledged themselves at the Washington Conference to return immediately to China.

The small black squares indicate foreign interests to be curtailed or abolished in the future.

The small black circles mark activities which the powers agree will not be extended or renewed.

Unmarked: alien control not affected by any action of the powers.

CHINA'S SERVITUDES[8]

The spread of alien interests into the very heart of the machinery of China's governance presents an involved picture of foreign penetration—both political and non-political.

For the purposes of analysis, the situation may be simplified by dividing China's integrity into four distinct aspects. The accompanying graphic presentation separates the problem into matters concerning territory, administration, finance and economics, and defense.

From the time of the First Foreign War China has been threatened by territorial mutilations. The less dangerous, perhaps, have been the outright cessions such as characterized Britain's acquisition of the island of Hongkong in 1842; and the Japanese victory of 1894, the Peace of Shimonoseki giving Japan the Island of Formosa in fee simple. China's defeat at the hands of Japan opened up the phase of indirect territorial alienation through leaseholds and the development of preferential foreign rights of a particular power in a part of the vast territories of China comprehended in the term spheres of interest. Alienation by leasehold was initiated by Germany in her acquisition of the base of Kiaochow for the period of ninety-nine years under a convention concluded in 1898. Russia, France, Britain, and, subsequently, Japan became beneficiaries of the process at China's territorial expense. The spheres of interest were negative rather than positive; that is, they were pledges exacted from the Chinese Government to the effect that certain parts of China, wherein particular powers held they possessed primary interests, would not be thrown open to rivals for development without prior consultation with the power supposed to be first concerned. These spheres were built up on the ground

[8] By Charles Hodges, assistant Professor of History, New York University. *Nation.* 121: 176-8. August 5, 1925.

of territorial propinquity, as in the case of Russia in Manchuria or France in South China, and reinforced by the possession of a strategic leasehold with its implied or state right to the "hinterland"; or they rested on commercial predominance, instanced by the British policy of prior interests in the Yangtze Valley. The documentary basis was either treaties between China and foreign nations individually concerned or agreements confirming the division of the spoils among the powers themselves—as witness the Anglo-German Agreement of 1898 and the similar Anglo-Russian undertaking in the following year. In addition, the development of special railway zones, best seen in Manchuria created lines of communication administered under the policing and law of the dominant power.

Finally, there are the municipal areas wherein all the nationals of foreign powers, under the general treaty rights, enjoy the privilege of residence and trade under their own administrations in most instances.

Alien influences in the government of China are of three sorts. They are the foreign direction of the most important Chinese sources of revenue under international regimes; the extraterritorial administrative invasions covering courts, postal communications, and wireless; and the general use of foreign advisers and experts in China's administration, many of them occupying their positions by virtue of the diplomatic influence of their home governments.

The direct invasions of China's administrative integrity are long-standing. The maritime customs came into being through the breakdown of Chinese administration at the time of the Taiping Rebellion in the 1850's the Americans, British, and French providing emergency machinery under which their nationals continued to pay the 5 per cent duties imposed under the first foreign treaties. Circumstances led to British predominance in customs direction from that time, the Chinese Gov-

ernment in 1898 confirming the appointment of a British subject to the inspector generalship so long as Britain's trade exceeded that of other powers.

The treaty powers also have a vise-like grip on Chinese fiscal autonomy. The exactions of the early nineteenth-century Chinese officials were a fruitful source of difficulties between foreigners and the Middle Kingdom, and the early treaties made the tariff duties part of the international agreements. These duties are still fixed by convention and China is not free to change them except by the consent of the treaty powers. In a world of changing values and national circumstances, China has found the "conventional tariff" to be one of her most costly concessions to the foreigner. Not only has the preponderance of alien commercial interest been thrown against any endeavor of the Chinese to gain the revisions to which they have been entitled; anything like a protective tariff for native industry has been out of the question.

The Chinese posts, originally part of the custom service, fell under the influence of the French; an exchange of notes between France and China, likewise in 1898, committed the Chinese to the use of French advice in postal reorganization, and it was reinforced in 1902. Later the direction of the Salt Gabelle, taken over by the central government from the provinces in 1909, fell to another British subject. All of these "services" are likewise "stiffened" by foreign subordinates; and until recently, apart from the nominal Chinese headship, the Chinese were but slowly advanced into the higher positions of administration. The honesty and the efficiency of these internationally manned services cannot be gainsaid; but dubious diplomatic claims have from time to time crept into even the recruiting and assignment of foreign officials. This second group of alien administrative interests, the posts, wireless, and courts, rise and fall with the status of extraterritoriality. They are ad-

ministrative invasions of Chinese sovereignty—abnormally resting on essentially abnormal international conditions.

The third group of foreign vested "rights" are indirect in character, comprised in the advisers of a dozen different nationalities on the pay roll of the Chinese Government. The powers are very jealous of the opportunities presented by having an expert strategically placed, in a position to watch national interests while serving the general cause of China's modernization; and the Chinese are far from free to choose whom they shall pay to shepherd them out of Oriental governmental ways. Some of the bitterest battles among the Peking legations have arisen in the conflict of foreign interests represented by the appointment of this man or the dropping of that; and the history of Japanese endeavors to oust the American advisor to the Ministry of Communications in post-war days is a typical instance of what is taking place behind the scenes and not included in the State Department's annual "Foreign Relations of the United States," under our usual editorial policy.

Passing to financial and economic matters, we come to the real material interests behind the play diplomacy. Leaseholds, with spheres of interest and influence, were the attempts of foreign offices to stake out political claims to economic monopolies. Extraterritoriality in the widest sense was but the means to a commercial end—the opening of a great market with the greatest security to Western enterprise. The services under foreign control were to assure foreign bondholders, on the one hand, of their coupons being met; and, on the other, of the maintenance of equitably administered charges on alien business. The foreign advisers were listening posts for national opportunities and pawns in the game of remak-

ing China, at a price, according to specifications dictated by particular national interests. These came out into the open in the struggle for concessions dealing with commercial opportunities, railway development, and loans. In the heyday of this dollar diplomacy, it meant monopolistic commercial rights manipulated from China's central or provincial authorities in the face of bitter rivals; and political loans of the most questionable banking character.

These developments, so especially marked since the close of the nineteenth century, vitally affected China's defense. Leaseholds meant foreign-occupied bases. The diplomatic balancing of one power against another meant the progressive undermining of the military position of China, as each of the foreign nations concerned sought to strengthen its Far Eastern grip. Ultimately, it meant war—conflict within China's territorial jurisdiction between alien powers—as shown by the Russo-Japanese War of 1904, fought in Manchuria, and the Japanese intervention against Germany in Shantung with the outbreak of the Great War in 1914. Other complications presented themselves in foreign garrisons elsewhere in China; the military menace of foreign-administered communications, especially in combination with extraterritorial railway zones confined principally to the old ex-Russian and the prevailing Japanese interests in North China; and special alliances, such as the notorious Sino-Japanese Arms Pact of 1918.

Foreign armed forces on Chinese soil fall into three classes—legation guards maintained under the provisions of the Boxer Protocol; other regular natural forces; and local corps of foreign volunteers. Under the first group there are about 1,000 troops of the treaty powers in the Legation Quarter of Peking; and at points commanding access from China's capital to the sea are 4,000 more.

The nationalities include American, British, French, Italian, and Japanese forces. The special position of Japan in Manchuria is marked by railway guards and garrisons, based on the reversion to Japan of the old Russian treaty rights in this respect following the War of 1904-1905. A Japanese army division normally is stationed in South Manchuria; and sixteen independent battalions of railway guards, each unit numbering over 600 rank and file, may be maintained under the Treaty of Portsmouth. The local corps are best exemplified by the Shanghai Volunteer Corps, a muncipal militia numbering some 1,500 men of all arms. England also maintains Sikhs recruited as police in her treaty "settlements."

There are four phases in the efforts of China and the powers to readjust these perversions of international relations. While the original treaties between China and the outside world contemplated periodic revision of provisions such as dealt with the 5 per cent ad valorem tariff, little had been done during the nineteenth century. But after the Boxer troubles of 1900 the way seemed pointed for a reformation of these fiscal conditions. The Mackay treaty with Britain in 1902, followed by similar ones negotiated with Japan and the United States in 1903, pledged these powers to revise the conventional customs duties every ten years and promised increases in the level of rates, provided China herself reformed in particular the native customs, or *likin,* charges. Moreover, the then Imperial Chinese government stiffened its attitude toward the railway and bank diplomacy of the predatory powers. Between 1900 and 1908, the basic principle of Chinese ownership was written into every concession for communications; and during the period 1908-1913, it was supplemented by the insistence on

Chinese administrative control with foreign experts confined to specified posts.

The troublesome days of the republican revolution of 1911-12 were hardly out of the way before the Great War ushered in the critical period in recent Chinese affairs. The efforts of the Chinese Government to force the tariff issue in 1912 on the double ground that the customs yield had fallen below the 5 per cent basis stipulated in the Boxer Protocol of 1901, and that the Anglo-Chinese Commercial Treaty of the following year provided for revision within a decade, failed of acceptance by the powers. With the recognition of the Chinese Republic in 1913, the question was again blocked by the attitude of Italy, Russia, and Japan. But the desire of the Allies to get China into the Great War by 1917, with the customs yield dropping to 3 per cent, brought about the customs conference of 1918: it at last enabled the Chinese to get the fourteen nations involved to agree to slightly more adequate rates within even the low treaty percentages. Here the diplomacy of the United States was used to underwrite the Allies, America promising China very definite support in the eventual peace conference that was to go to the roots of the whole question—from tariff autonomy to foreign leaseholds.

China failed to get any consideration of her claims at the Paris Conference. The Chinese Delegation presented forty-one pages of exquisitely printed memoranda entitled Questions for Readjustment which covered the renunciation of spheres of interest; the withdrawal of all foreign forces and police; the closing of all alien posts and other communications; the abolition of consular jurisdiction; the relinquishment of lease territories; the restoration of foreign settlements; and tariff auton-

omy. This program, inspired, we may say, by the pledge of American cooperation, was buttressed by a 90-page "Claim of China for Direct Restitution to Herself of Kiaochow," and a 47-page "Claim of China," etc., for the abrogation of the notorious Japanese treaties of 1915. The subsequent story of the refusal of the Chinese Delegation to sign the peace treaty is the record of our first great failure to meet the full implications of the Far East situation at Paris in 1919.

The Washington Conference opened the fourth phase of China's pilgrimage in search of justice at the hands of the powers of 1921. Sandwiched into the primary issue of naval armaments, the problem of China was again side-stepped as much as it was advanced toward any fundamental solution. The return of foreign-held bases was begun with Japan's assent to retrocede the leasehold of Kiaochow and Britain's similar action regarding her adjacent holding of Wei-hai-wei; but Japan was not affected in South Manchuria, nor was France inclined toward any generosity regarding her leasehold of Kwangchow-wan in south China. All the powers, however, maintaining postal administrations in the Chinese Republic's territories agreed to their suppression. These comprise the restitutions the powers proposed immediately to make to China's sovereignty.

The second category of actions at the Arms Conference regarding hapless China deals with pledges made by the powers as to curtailing or eventually abolishing certain privileges. The solution of the basic issues of (1) extraterritoriality, and (2) tariff autonomy, were pushed once more into the future. The first problem was dealt with in Resolution 4, promising China a commission of inquiry into the administration of justice to report within a year of its convening, internal conditions, however, obliging China herself to ask its postponement.

The second was subject of a special customs treaty—heretofore held up by France's refusal of ratification—laying down a systematic modernization of the Chinese tariff. The provisions covered an immediate temporary revision to further adjust the work the commission of 1922 already was undertaking; the imposition of a surtax to aid Peking revenues; further increases in the customs charges when China reformed her entirely native-controlled *likin;* and a schedule of duties to be revised every seven years. In this group also goes Resolution 6, which provided a commission to consider the withdrawal of all armed forces from China; it was made contingent upon that country's ability to "assure the protection of lives and property of foreigners."

The third category includes those declarations of principle set forth in the first, or "Nine-Power," treaty signed at Washington dealing with the problem of China. Sponsored by the United States, the agreement represents a restatement of the accumulated policies of American diplomacy in regard to East Asia embodied in the most formal of compacts adhered to by all the principal powers. It attempted no reformation of existing conditions but dealt exclusively with the none-too-bright future—once again there was pledged adherence to the "open door"; equality of opportunity was bolstered up to cover every diplomatic maneuver toward preferential interests; China's integrity was reaffirmed; and the undermining spheres of influence, the monopolistic concessions, the sinister combinations among the powers in defiance of such excellent principles were denounced. Applied a quarter of a century prior to the Washington Conference, it would have blocked the political, administrative, and economic enervation of China by recent world politics—or precipitated war on the Pacific.

PRINCIPAL FOREIGN INTERESTS IN CHINA[4]

	United States	Great Britain	Japan	France	Italy
Population, 1924	8,817 12,000 (State Dept.) estimate)	14,70.	198,206	2,715	681
Value of Trade, 1924	$224,475,000	$501,675,000[5]	$358,725,000	$41,700,000	$11,400,000
Foreign Possessions	none	Hongkong ceded by Nanking Treaty, Aug., 1842. Area, 32 sq. m. Kowloon, old territory, ceded 1860	none	none	none
Leased Territories	none	Weihaiwei, leased July 1, 1898 Kowloon, new territory, leased 1898 for 99 yrs.	Kwantung, leased to Russia March 27, 1898; transferred to Japan in 1905; lease extended to 99 yrs. from original date. Area, 1,300 sq. m.	Kwangchouwan, leased Feb. 19, 1900 for 99 yrs. Area, 200 sq. m.	none

[4] From *Foreign Policy Association. Information Service.* 2: 317. February 16, 1927.
[5] Including trade with Hongkong.

	United States	Great Britain	Japan	France	Italy
Concessions [6]	none	Amoy (1851-52) Canton (1861) Hankow (1861) Kuikiang (1861) Tientsin (1861) Chinkiang (1861) Newchwang (1861)	Amoy (1900) Hankow (1898) Tientsin Hangchow (1895) Soochow (1895)	Canton (1861) Hankow (1886) Tientsin (1861)	Tientsin
Foreign Troops and Legation Guards (Permanently stationed in China.)	1,396 officers and men Stationed at Peking and Tientsin	1,218 officers and men Stationed at Peking and Tientsin	940 officers and men (Japanese troops in Manchuria number approximately 3,500)	1,708 officers and men Stationed at Peking and Tientsin	449 officers and men Stationed at Peking and Tientsin
Foreign owned railways	none	Kowloon-Canton Railway (British Section, 29 m.)	South Manchurian Railway, 672 m.	Yunnan Railway 288 m.	none
Investments:					
Commercial	$70,000,000	Figures not available	Figures not available	Figures not available	Figures not available
Missionary	$80,000,000				

[6] Does not include Shanghai, an international settlement administered by the principal Treaty Powers.

FOREIGNERS IN CHINA[7]

The total number of foreigners of all nationalities resident in China is estimated roughly at from 320,000 to 325,000. Japanese, 198,206; Russians, 85,766; British, 14,701; Portuguese, 3,657; Germans, 2,733; French, 2,715.

There are about 12,000 resident Americans in China. There are about 3,500 American residents in Shanghai and about 250 American firms, which represent 50 per cent of the American firms in all of China.

About one-half of the Americans are interested in missionary activities. It is estimated that the aggregate annual budget of our missionary interests in China amounts to $12,000,000 to $15,000,000.

REVIEW OF SINO-AMERICAN RELATIONS[8] 1844-1927

First Treaty With China

1844—On July 3, 1844, the United States signed its first treaty with China. Following the example set by Great Britain in 1842 when extraterritorial rights were granted her by China, the United States also obtained similar extraterritorial rights. Articles 21 and 25 of the treaty provide that subjects of China guilty of crimes against citizens of the United States should be punished according to Chinese law and citizens of the United States guilty of any crimes in China be punished by the American consul or "other public functionary of the United States."

1848—On August 11, Congress passed an act giving American consuls in China the authority to exercise the judicial functions granted them in the treaty of 1844.

[7] From *Congressional Digest.* 6: 153-4. May, 1927.
[8] From *Congressional Digest.* 6: 147-50. May, 1927.

Treaty of Tientsin

1858—On June 18 the Tientsin Treaty between the United States and China was signed providing again for extraterritorial rights, also prohibiting the Chinese from interfering with the teachings of Christian missionaries in China.

1860-1870—On June 22, 1860, Congress passed another act replacing the act of 1848 in regard to judicial authority of American consuls in China. On July 28, 1866, and on July 1, 1870, this Act was further amended.

1880—The Sino-American treaty of November 17, 1880, further established extraterritorial rights granted to citizens of the United States in China.

Sino Japanese War

1894—The Sino-Japanese war was begun.

1895—By the treaty of Shimonoseki signed April 17, 1895, Japan, victorious in the war against China, secured important concessions from China including the rights to the Hiaoting Peninsula, the right to open up several Treaty Ports, to steam navigation on the upper Yangtze river, and further general trading rights to Japanese merchants in China.

"Most-Favored-Nation" Clause

The treaties of China with practically all foreign powers including the United States contained a "most favored nation" clause by which citizens of each of the foreign powers in China were to receive the same privileges and immunities as were to be granted to any other foreign power. By granting privileges to the Japanese under the treaty of 1895, the subjects in China of all the other foreign powers were automatically given the same privileges.

Open-Door Doctrine

1899—The Sino-Japanese war which had secured for Japan certain preferential privileges in China, was the background for the famous circular letter of September 6, 1899, of U. S. Secretary of State Hay, announcing the "Open Door" doctrine of the United States, which declared that the commerce and navigation of all nations was to receive equality of treatment in China. It stated that the United States hopes "to retain there an open market for all the world's commerce. . ."

The Boxer Rebellion

1900—In the summer of 1900 a rebellion broke out in China by a faction known as the Boxers, which was vented against all foreigners, including Americans, in China, and during which many foreigners were massacred and their property destroyed.

Boxer Protocol

1901—In the so-called "final Protocol of 1901" between the treaty powers and China, an indemnity of approximately $330,000,000 for the Boxer outrages was levied on the Chinese government, to be secured on the customs revenue. The Treaty Powers were also given the right to fortify sections of Peking, now known as the Legation Quarter and to maintain, by their own armed forces, communications between Peking and the sea.

Protest by United States

1902—In 1901 and 1902 an agreement was pending between Russia and China under which Russia was to obtain certain preferential rights in Manchuria. On February 1, 1902, the United States protested to China, stating that the United States trusts no arrangement which will impair the territorial integrity of China or

injure the interests of the United States will be made with any single power, and that such an agreement would be in conflict with the "open door" doctrine announced by the United States.

Protocol of 1902

1902—In the Boxer Protocol of June 14, 1902, the apportionment of the total indemnity of $330,000,000 among the Powers was agreed to, the share allotted to the United States being approximately $24,500,000.

Abolition of Extraterritoriality

1903—In the Treaty between the United States and China of 1903 and in similar treaties with other powers and China in 1902, a provision was included by which the Powers and the United States agreed to give up their extraterritorial rights, when the state of the Chinese law will warrant them in so doing.

Russo-Japanese War

1905—By the Treaty of Peace of September 5, 1905, between Japan and Russia, signed at Portsmouth, New Hampshire, both Russia and Japan disclaimed "any territorial advantages or preferential or exclusive concessions in impairment of Chinese sovereignty."

On December 22, 1905, China agreed to transfer to Japan certain Russian interests in Manchuria, and other railway concessions and Japan claimed the right to maintain her troops there as a railway guard.

United States Court for China

1906—On June 30, 1906, the Act of Congress establishing a United States Court for China was approved. The Court was to have jurisdiction of all cases with a few exceptions formerly decided by American consuls in China.

Remission of Indemnities

1908—On May 25, 1908, Congress passed a Joint Resolution whereby the United States was to "remit" to China approximately $12,000,000 or one-half of the Boxer indemnities alloted to the United States. The Chinese Government determined to use this money for the education of Chinese youths in American institutions. For this purpose also a college was founded in China to better prepare such Chinese students who were to study in the United States.

Root-Takahira Understanding

1908—On November 30, 1908, the United States and Japan reached an understanding known as the Root-Takahira Agreement whereby they reaffirmed the "open door" doctrine and the maintenance of the "status quo" in the Pacific Ocean. . .

Knox Neutralization Plan

On November 9, 1909, the U. S. Secretary of State Knox suggested a plan whereby the Manchurian railroads would be brought under an economic and impartial administration vesting ownership of the railroads in China through funds to be furnished by all the powers wishing to participate. This plan failed to obtain the support of the Treaty Powers, especially Japan and Russia.

Chinese Republic

1911—In 1911 the Manchus Dynasty was overthrown by a revolution and China was declared a Republic.

Six-Power Consortium

1912—On June 18, 1912, a group of bankers of six foreign powers including a group of American banks

entered into an agreement for a proposed reorganization loan to the Chinese Government.

1913—On March 18, 1913, President Wilson issued a statement that the conditions to be imposed upon China by the proposed Six-Power Consortium impaired the administrative independence of China and that the United States would not consent to such an agreement. As a result the group of American bankers withdrew from the Consortium.

World War

1914—In August, 1914, the World War broke out in Europe. Japan joined the Allies and immediately seized all German rights in China.

Peace Treaty With China

On September 15, 1914, the United States and China signed a treaty for the advancement of peace between the two countries. Article one declared that disputes which could not be settled through the ordinary diplomatic channels should be submitted to a permanent international commission. The treaty was ratified by the United States Senate on October 12, 1914.

Twenty-one Demands

1915—On January 8, 1915, while the Treaty Powers were engaged in the World War, Japan presented to China the famous "Twenty-one Demands," divided into five groups, and threatened China with an immediate ultimatum if she refused to grant them.

On March 13, 1915, Secretary of State Bryan stated to the Japanese Government that the "Twenty-one Demands" were a violation of the "Open Door" doctrine, to which the Japanese Government had given its assent.

On May 25, 1915, China made a number of treaties

with Japan, as a result of the "Twenty-one Demands" yielding to Japan her demands, in the first four groups of the ultimatum which included a right to operate the South Manchurian railroad for 99 years.

Peace Treaty Ratified

On June 17, 1915, President Wilson signed the treaty for the advancement of peace between the United States and China and on June 18, 1915, the Chinese Government ratified the Treaty.

Japan's Secret Agreements

In February and March, 1917, Japan made secret agreements with Great Britain and Russia, that Japan would be allowed to receive all German rights in China at the end of the war. France also promised to yield the German holdings to Japan but demanded that Japan use her influence on China to enter the war against Germany. (Willoughby, W. W., "Foreign Rights and Interests in China," 1927, Vol. I. p. 269.)

China Enters World War

1917—On March 14, 1917, China severed diplomatic relations with Germany and entered the war on the side of the Allies. On April 6, 1917, the United States also entered the World War with the Allies.

Lansing-Ishii Agreement

On November 2, 1917, Secretary of State Lansing announced an agreement between the United States and Japan which again proclaimed their adherence to the "Open Door" doctrine.

Four Power Consortium

1918—In June, 1918, the United States Government proposed a new consortium to the Governments of Great

Britain, France and Japan to finance all future loans to China to be backed by a government guarantee.

On November 11, 1918, the Armistice ending the World War was signed.

Versailles Peace

1919—At the peace conference in August, 1919, after the World War, China demanded that the former German holdings of Shantung and Kiaochao in China seized by Japan be transferred to her as a member of the Allies. China claimed she had made these demands in 1917 when she entered the War. Japan claimed that Great Britain, France and Russia had pledged these possessions to her by secret agreements in February, 1917. China also put forward her demands for abolition of extraterritoriality and foreign customs control, readjustment of foreign settlements, etc. All these demands were refused by the Powers and China refused to sign the treaty with Germany.

China did sign the peace treaty with Austria and thereby became a member of the League of Nations.

Consortium Agreement

1920—On October 15, 1920, bankers consisting of groups of American, British, French, and Japanese banks signed the formal agreement known as the Four Power Consortium, as a result of which loans upon certain conditions were to be made to China in the future.

Washington Conference

1921—In November, 1921, the Conference on the Limitation of Armaments was held in Washington, at which the entire subject of Chinese treaties was discussed.

1922—On February 6, 1922, the powers represented at the Washington Conference signed the "Nine Power

Treaty." The signatories were the representatives of the United States, Belgium, British Empire, China, France, Italy, Japan, Holland, and Portugal. This treaty provided in part for prompt revision of existing tariff schedules and for a special conference to be held in China immediately after the ratification of the treaty by the Powers, which was to raise the tariff duty for China from five to seven and one-half per cent. Other principal agreements as a result of the Conference were a Sino-Japanese agreement whereby Japan was to return to China the former holdings in Shantung; and a resolution by the terms of which a Commission consisting of representatives of the Powers having extraterritorial rights in China and including a Chinese representative was to investigate the whole question of extraterritorial rights and make recommendations to the Powers.

China Trade Act

1922—On September 19, 1922, Congress passed the China Trade Act which provides the law and administrative machinery for organizing American corporations in China.

Revision of Boxer Indemnities

1924—May 21, 1924, Congress passed another joint resolution whereby further Boxer indemnities paid the United States together with payments to be made in the future were to be paid back to China to be used for work in education and culture.

1925—On February 13, 1925, an act of Congress became law which provided that appeals from the United States Court for China may be taken to the United States Circuit Courts.

China's Fourteen Demands

On June 24, 1925, as a result of the killing of Chinese in the Shanghai riots China presented the treaty

Powers with a note containing fourteen demands. The last demand in this note called for an early revision of the treaties between China and the Powers which had established extraterritoriality and foreign customs control. The Powers addressed a reply to the fourteen demands which declared that the powers were willing to consider China's proposal for the modification of existing treaties "in measure as the Chinese authorities demonstrate their willingness to fulfill their obligations and to assume the protection of foreign rights and interests now safeguarded by . . . these treaties."

Customs Conference

1925—Since France did not ratify the Nine Power Treaty until August, 1925, the Special Customs Conference, provided for in the Treaty did not meet until October 26, 1925. Thirteen Powers were represented at the conference.

On November 19, 1925, the Customs Conference approved the following declaration to be embodied in a proposed treaty:

"The contracting powers other than China hereby recognize China's right to enjoy tariff autonomy, agree to remove the tariff restrictions which are contained in treaties between themselves respectively and China, and consent to the going into effect of the Chinese national tariff law on January 1, 1929." China on the other hand declared that "likin" the name of the tax imposed on goods in transit throughout China, would be abolished when the Chinese national tariff would come into existence.

Commission on Extraterritoriality

1926—On January 12, 1926, the Commission on Extraterritoriality in China met at Peking. The American representative, Silas Strawn, was chosen Chairman, and

the Commission continued in session until September 16th. The Cantonese government, a rival government set up by the Chinese Nationalists, refused to receive the investigating committee of the Commission on the ground that extraterritoriality should be immediately abolished.

Break-up of Customs Conference

In April, 1926, during the civil wars in China, the capital, Peking, fell into the hands of the Northern War lord Chang-Tso-lin. The leading Chinese delegates to the Chinese Customs Conference then in session, left the city. Nothing further beyond the proposal for tariff autonomy already referred to was arrived at by the Conference and on July 3, 1926, they adjourned sine die.

On November 29, 1926, the report of the Commission on Extraterritoriality including the recommendations of the Commission on the subject was made public.

Porter Resolution

1927—On January 24, 1927, Congressman Porter introduced a resolution, H. Con. Res. 46, requesting the President to enter negotiations with China for the purpose of revising the treaties between the United States and China.

On January 24 and 25 hearings were held on H. Con. Res. 46 before the House Committee on Foreign Affairs, of which Representative Porter is chairman.

On January 26 Secretary Kellogg issued a statement declaring the policy of the United States in the present situation in China. Secretary Kellogg said, in part:

> The Government of the United States was ready then and is ready now to continue negotiations on the entire subject of the tariff and extraterritoriality or to take up negotiations on behalf of the United States alone. The only question is with whom it shall negotiate. If China can agree upon the appointment of delegates representing the authorities or the people of the country, we are prepared to negotiate such a treaty.

On January 28, the House Committee on Foreign Affairs reported out favorably H. Con. Res. 46 (Rept. No. 1891).

Due to the continued civil war in China, Secretary Kellogg, on February 5, 1927, proposed to the contending factions striving for supremacy in China, that they eliminate the international settlement at Shanghai from the zone of their war like activities.

On February 10, 1927, Mr. Cole, Ia., R., introduced a resolution, H. J. Res. 354—To provide for the payment of an indemnity to the Chinese Government for the death of Chang Lin and Tong Huan Yah, alleged to have been killed by members of the armed forces of the United States.

On February 11, H. J. Res. 354 was reported out favorably by the Committee on Foreign Affairs (Rept. No. 2050).

On February 21, H. Con. Res. 46, the Porter Resolution, passed the House and was referred to the Senate Committee on Foreign Relations. No further action was taken.

On February 28, the House passed H. J. Res. 354, and it was referred to the Senate Committee on Foreign Relations. No further action was taken.

On March 21, 1927, the Cantonese took Shanghai. Admiral Williams, Commander of the American Asiatic Fleet, announced that 1,500 American marines had been landed at Shanghai for the protection of American lives and property.

March 24—A group of Americans were attacked by several Nationalist soldiers, which resulted in the killing of one and the wounding of several others. The foreign consulates including the American one were also fired upon and looted.

Demand of the Powers

On April 11 the five Powers, consisting of United States, Great Britain, Japan, France and Italy, each sent

an identical note to Eugene Chen, the Cantonese Foreign Minister at Hankow, protesting against the outrages committed against their nationals at Nanking by the Cantonese on March 24 last.

Reply of Cantonese

On April 15 Eugene Chen, the Cantonese foreign minister, replied to the note of the United States and the Powers of April 11. He stated that the Nationalist government was prepared to make good all damages done, but before any further demands are complied with he will insist upon an impartial investigation to place the responsibility for the damages where it rightfully belongs.

On the same day civil war broke out between the Moderates and Radical factions in the Chinese Nationalist Party. The Moderate leader, General Chiang-Kai-Shek, ordered the Russian adviser, Borodin, at Hankow, to be seized.

On April 16 the war between the Moderates and Radicals continued at Canton.

On April 18 General Chiang, leader of the Moderates, set up a rival government at Nanking and declared the Radical Government at Hankow outlawed.

On April 19 the Hankow government declared General Chiang and the Moderate government outlawed, and announced that General Feng-Yu-hsiang, the "Christian General," was to be the Commander in chief of the Nationalist Army.

RESULTS OF THE WASHINGTON CONFERENCE[9]

The most important action of the Conference was not the agreement to take a ten years' holiday on naval

[9] From article, "Situation in China." *City-State-Nation.* 8: 85-96. September 1, 1925.

construction and to keep the United States, British, Japanese and French navies on a 5-5-3-1.75 basis, but the agreements made with reference to China. China got into the agenda because the possibility of reduction of navies depended on the probabilities of war in the Pacific; and instead of the Anglo-Japanese treaty being renewed, what happened was that four powers—the United States, Great Britain, France and Japan—signed a treaty agreeing to respect each other's rights in relation to their insular possessions and insular dominions in the region of the Pacific; if a controversy developed "out of any Pacific question" not satisfactorily settled by diplomacy and likely to affect their harmonious accord, all the four powers were to be asked to a joint conference; and if these rights should be threatened by the aggressive action of any other power, the four powers were to communicate in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the situation; this treaty was to be in force for ten years, after which it was to continue, subject to the right of any one of the four to terminate it on one year's notice.

Two treaties were signed, and nine resolutions adopted, concerning China at the Washington Conference. A treaty between China, Great Britain and Japan for the return of Shantung was also signed. These various agreements may be referred to as

1. The open-door treaty.
2. The Chinese customs treaty.
3. The exterritoriality resolution.
4. Eight minor resolutions.
5. The Shantung treaties.

1. *The Open-Door Treaty.*—By this treaty the United States, Belgium, the British Empire, France, Italy, Japan, the Netherlands and Portugal agreed

a. To respect the sovereignty, independence, and territorial integrity of China;

b. To provide the fullest and most unembarrassed opportunity for China to develop and maintain for herself an effective and stable government;

c. To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China; and

d. To refrain from taking advantage of conditions in China in order to seek special rights and privileges which would abridge the rights of subjects or citizens of friendly states.

The powers also agreed not to enter into any treaty, agreement or understanding with any other power, individually or collectively, which would infringe any of these four principles. And, "with a view to applying more effectually the principles of the Open Door or equality of opportunity for the trade and industry of all nations," these eight powers agreed that they would not seek, and would not support their nationals in seeking:

a. Any arrangement that might purport to establish in favor of their interests any general superiority of rights with respect to the commercial or economic development in any designated region of China, or

b. Any such monopoly or preference as would deprive the nationals of any other power of the right to undertake any legitimate trade or industry in China, or of participating with the Chinese government or with any local authority, in any kind of public enterprise or any enterprise which, on account of its scope, duration or geographical extent, is calculated to frustrate the practical application of the principle of equal opportunity.

The powers also specifically agreed not to support any agreements between their nationals designed to create spheres of influence or to provide for the enjoyment of

mutually exclusive opportunities in designated parts of Chinese territory.

Here went the work of 75 years! 75 years of intrigue and bullying—not to use a shorter and uglier word.

It is not too much to say that this agreement would never have been made if it had not been for the World War. It is impossible to conceive that the Empire of the Czars or the German Empire would have agreed to anything that put an end to their dreams of Asiatic domination. The world is confronted today with the spectacle of many things that the World War did not do; here appears one good result of it.

2. *The Chinese Customs Treaty.*—Since 1844 the tariff rates charged by China have been 5 per cent ad valorem, on values set long ago. The Washington Conference customs treaty made two main provisions: (a) that the existing schedule of prices be revised immediately so that the 5 per cent allowed would be 5 per cent of the actual value of the goods—"five per cent effective," is the phrase used; and (b) that within three months after the treaty went into force, a conference should be called by China to provide for the levying of a surtax of 2½ per cent ad valorem on such articles as it might designate, or of 5 per cent on certain articles of luxury. This is the conference which China has now called; it has been delayed much longer than was expected, because these treaties were not ratified by France until August, 1925. The conference is also to prepare the way for the abolition of likin, a transit tax duty arbitrarily levied on merchandise as it passes through the hands of provincial or local functionaries—who keep it.

The importance of the proposal to give China control of her tariffs involves not only the question of rates, but also the fact that China now is not allowed to collect and distribute these revenues. Both of the main sources

of national revenue, the maritime customs and the salt tax, or gabelle, as it is called, are under foreign administration; the customs revenues were first placed in foreign hands for safety during the Taiping Rebellion in China in 1855, and later as security for foreign loans and for the Boxer indemnity. The salt gabelle has been in foreign hands since 1913 for security and as pledged to meet the expenses of the Reorganization Loan of 1913. Interest and amortization payments on foreign loans are a first charge on the customs receipts. The commission for the readjustment of Chinese government finances (provided for in this treaty) reported in April, 1924, that the government revenues were nominally $209,000,000 Mexican, but that actually it got hold of only $158,000,000 Mexican; out of this amount must be paid for debt service $98,000,000; for military subsidies and the redemption of Treasury notes $42,000,000, and for other fixed payments $11,000,000; this leaves only $7,000,000 Mexican, or a little over $3,500,000, as the amount the government of China has with which to run the government of the country. With this sum the government of course cannot maintain order, as it cannot pay an army—or even policemen! What China now demands is the abrogation of these tariff treaties imposed upon her before she knew what tariffs meant or what any requirement of modern civilization entails, and which constitute an invasion of her sovereignty and leave her powerless to establish and maintain order, educate her people, build roads, and develop her enormous resources.

3. *The Extraterritoriality Resolution.*—The Chinese delegates to the Paris Peace Conference, in their memorial to the Conference, pointed out that China has adopted a national constitution with the usual separation of executive, legislative and judicial powers, assuring the complete independence of the judiciary, and upholding the fundamental rights of person and property; that civil,

criminal, and commercial law codes have been prepared, with three grades of new courts, and that the police and prison systems have been reformed. The delegates therefore proposed that the consular jurisdiction be abolished at the end of a definite period, provided China had by that time promulgated a criminal, a civil and a commercial code of law, and a code of civil procedure and one of criminal procedure, and had established new courts in the districts where foreigners reside. China also asked for two immediate changes: that every case where the defendant is a Chinese be tried in the Chinese court, without any foreign assessor and without the interference of any consular officer; and that warrants or judgments of Chinese courts (against Chinese) shall be executed within foreign concessions without any preliminary examination and countersignature by the consular officer.

The Peace Conference stated that while it sympathized with China's desire to remove restrictions on her legitimate rights, it could concern itself then only with the peace of Europe.

China then presented its case to the Washington Conference; the Chinese delegations to the conference expressed the desire that "immediately, or as soon thereafter as circumstances permit, existing limitations upon China's political, jurisdictional and administrative freedom of action are to be removed"; and the Conference adopted a resolution stating that since its action on this subject "must depend upon the ascertainment and appreciation of complicated states of fact in regard to the laws and the judicial system and the methods of judicial administration of China," a commission should be established by the signatory powers—the United States, Great Britain, Belgium, France, Italy, Japan, the Netherlands, and Portugal, to inquire into the present practice of extraterritorial jurisdiction in China, and the judicial system and methods of China, and to report to the govern-

ments its findings and recommendations. This commission was to have been established within three months, but at China's request, owing to disturbed conditions, its creation was postponed.

4. *Eight Minor Resolutions*

a. The four powers that have set up foreign postal agencies in China (except those in leased territories) agreed to close them, provided an efficient Chinese postal service is maintained and that the status of the foreign co-director shall not be disturbed. China has now entered the Universal Postal Union and set up her own post offices throughout the country.

b. The powers that are now maintaining armed forces, including police and railway guards, some of which, the treaty admits, are maintained in China without the authority of any treaty or agreement, agree to withdraw these armed forces that are there without authority, whenever China will assure the protection of the lives and property of foreigners; this treaty provides that diplomatic representatives in Peking of the powers represented at the Washington Conference will make a full inquiry into this situation, with three representatives of the Chinese government, whenever China shall ask them to do so.

c. The powers at the conference "record their hope" in this resolution that the future development of railways in China shall be so conducted as to enable the Chinese government to effect the unification of railways into a railway system under Chinese control, with such foreign financial and technical assistance as may prove necessary; this unification is to take place "to the utmost degree consistent with legitimate existing rights." The Chinese representatives stated that it was the intention of the Chinese government to develop existing and future railways in connection with a general program that will meet the economical and industrial requirements of the

nation. It will be the Chinese policy to obtain such foreign financial and technical assistance as may be needed, in accordance with the principles of the open door.

d. The powers at the conference expressed to China the earnest hope that immediate and effective steps would be taken to reduce the military forces which were at that time excessive in number, and were controlled by the military chiefs of the different provinces without coordination.

e. In order that there might be full publicity on all matters affecting the political and other international obligations of China and of the several powers in relation to China, it was agreed that the several powers, other than China, would file at their earliest convenience with the secretary of the Conference a list of all treaties, conventions, exchanges of notes or international agreements which they may have with China, or with any other power in relation to China, which they consider to be still in force and upon which they desire to reply. All these treaties and agreements must be transmitted by the secretary to all the powers participating in the conference; and if any such treaty or agreement be made hereafter, it must be transmitted within sixty days to the powers in the conference, and any other powers who hereafter adhere to the agreement. These powers must also file with the secretary for transmission to the other powers a list as nearly complete as possible of all the contracts between their nationals and the Chinese government, or any of its subdivisions or local authorities which involve any concessions, franchises, options or preferences with regard to railway construction, mining, forestry, navigation, river conservancy, harbor works, reclamation, electrical communication or other public works, or public services, or for the sale of arms and ammunition, or which involve a lien on any of the public revenues or properties of the Chinese government or of any of its administrative subdivisions. The Chinese government, on its part, agrees

to give similar notice to the powers of any such treaty, agreement or contract.

f. The powers represented at the conference agreed that all radio stations in China should be limited to sending and receiving government messages, and should not receive or send commercial or personal or unofficial messages, including press matter. All radio stations operating in Chinese territory under treaties or concessions are to limit the messages sent and received in accordance with the terms of the treaties under which the stations were set up. Any radio station that is maintained in the territory of China by a foreign government or by the nationals of a foreign government without the authority of the Chinese government must be transferred to the Government of China to be operated under the direction of the Chinese ministry of communications as soon as this office is ready to operate it for the public's benefit. Fair compensation is to be paid to the owners for the value of any radio installations so taken over. The radio stations in the leased territories in the Southern Manchurian Railway Zone and in the French concessions at Shanghai are to be settled by discussions between the Chinese government and the government concerned; but the decisions about these stations must conform to the principles of the open door. The Chinese delegation stated that the Chinese government does not recognize or concede the right of any foreign power or of the nationals of any foreign power to install or operate radio stations in legation grounds, settlements, concessions, leased territories, railway areas, or other similar areas, without the express consent of the Chinese government.

g. The representatives of the nine powers at the conference in order to provide a procedure under which the provisions of the open door treaty could be worked out, agreed to establish a Board of Reference in China to which questions arising in this connection could be referred for investigation and report. The customs con-

ference which is to meet in Peking on October 26th is to formulate a detailed plan for the construction of this board.

h. The powers agreed that the preservation of the Chinese Eastern Railway requires that better protection be given to the railway and to the persons engaged in its operation and use, that the personnel be more carefully selected, and a more economical use of funds be made in order to prevent waste of that property; it was therefore resolved that this should be dealt with immediately through the proper diplomatic channels.

i. In agreeing to the above resolution about the Chinese Eastern Railway, the powers other than China reserved the right to insist hereafter on China's responsibility for the performance of the obligations toward the foreign stockholders, bondholders and creditors of the railway company.

5. *The Shantung Treaties.*

a. By a treaty between Japan and China, Japan agreed to restore to China the former German leased territory of Kiaochow. The government of Japan agreed to transfer to the government of China all public property in this territory; to withdraw the Japanese troops stationed along the Tsingtao-Tsinanfu Railway as soon as the Chinese police or military forces were sent to take over the protection of the railway; and to transfer this railway to China with all its branches, and all the property such as wharves and warehouses connected with it on payment of 53,406,141 gold marks, plus the amount expended by Japan for permanent improvement to the lines, less an allowance for depreciation. Two concessions for extension of this railway line were opened to the common activity of an international financial group on terms to be arranged between the Chinese government and this group. The custom house at Tsingtao was made a part of the Chinese maritime customs. Mines that were being

operated by Germany are to be handed over to a company formed under a charter by the Chinese government. Two Japanese wireless stations are to be transferred to the Chinese government on fair compensation, and all the rights in the former German submarine cables are declared vested in China, except two portions which have been used by the Japanese government for laying cables to Japan, about which an arrangement is to be reached.

Japan agreed not to seek the establishment of an exclusive Japanese settlement or an international settlement in former German leased territory, and also renounced all preferred rights under the treaty between China and Germany. China, on the other hand, threw open the entire area of the former German leased territory to foreign trade, agreeing to allow foreigners to reside and carry on commerce, industry and other lawful pursuits within the area.

b. Great Britain also by treaty with China relinquished its claim to Wei-hai-wei.

SUMMARY OF REPORT OF COMMISSION ON EXTRATERRITORIALITY [10]

The Commission on Extraterritoriality in China, composed of representatives of the United States of America, Belgium, the British Empire, China, France, Denmark, Italy, Japan, the Netherlands, Norway, Portugal, Spain, and Sweden, was established in accordance with Resolution V and additional resolutions adopted by the Washington Conference on the Limitation of Armament on December 10, 1921. It met in the city of Peking on January 12, 1926, and began immediately its inquiry into the present practice of extraterritorial juris-

[10] From United States. Department of State. Report of the Commission on Extraterritoriality in China, Peking, September 16, 1926. p. v-x, 107-9 Washington, D.C. 1926.

diction in China and into the laws, judicial system, and methods of judicial administration of China.

The commission held twenty-one full sessions, the last being on September 16, 1926, at which time a joint report was signed by all of the thirteen commissioners.

The Chinese commissioner, Dr. Wang Chung-hui, was elected honorary president of the commission. Mr. Silas H. Strawn, the American commissioner, was elected chairman and presided over its several meetings. Mr. G. Ch. Toussaint, the French commissioner, was elected vice chairman.

A traveling committee was also appointed to carry out a tour of investigation of the courts, prisons, and detention-houses in the various provinces and of the working of the Chinese judicial system in general. This tour lasted from May 10 to June 16.

On September 16, 1926, the commissioners were able to agree upon a report consisting of 166 pages, including introductory remarks and signatures. It is divided into four parts as follows:

Part I. Present practice of extraterritoriality;
Part II. Laws and judicial and prison system of China;
Part III. Administration of Justice in China;
Part IV. Recommendations.

Parts I, II, and III of the report are divided into paragraphs, each of which is given a number to facilitate reference.

Part I presents the commission's findings of fact regarding the present practice of extraterritoriality in China. Beginning with a brief historical outline of the development of extraterritorial practice in China under the treaties entered into by China with the several foreign powers, the commission proceeds to discuss the machinery set up by the several powers for the purpose of fulfilling the obligation which they had undertaken to con-

trol their nationals residing in China. The commission finds that two of the powers, Great Britain and the United States, have established special courts in Shanghai with professional staffs, that France and Italy have special judges for China, that Japan has assigned specially trained consular judges to the consulates general at Mukden, Tsingtao, Tientsin, and Shanghai, that Norway has a specially trained consular judge at Shanghai, and that with these exceptions the judicial machinery set up in China by the powers enjoying extraterritorial privileges consists of consular courts presided over by a consular officer alone or, in some cases, assisted by assessors. Only the British system provides for trial by jury.

The commission finds that as regards the jurisdiction of these extraterritorial courts it may be divided into three clearly defined types of cases (civil and criminal):

(a) Cases in which the parties on both sides are of the same nationality as that of the court;
(b) Cases in which the plaintiff or complainant is a foreigner not of the same nationality as that of the court;
(c) Cases in which the plaintiff or complainant is Chinese.

In the first category of cases only one nationality is concerned—that of the competent court. In the second category, two foreign powers are concerned, the case being tried in the court of the nationality of the defendant or accused. In such cases, agreements or arrangements between the powers, or their lack, may play an important part. In the third category, the procedure varies according as the proceedings are civil or criminal. In certain instances the Chinese authorities may claim the right to send an official to be present at the trial in the foreign court, and in other instances, in civil cases only, special arrangements exist for examining cases conjointly, according to equity, representatives of the Chi-

nese Government having the same rights as the foreign consular representative. Cases coming within the third category are usually called mixed cases.

Attached to the report are memoranda prepared by the several commissioners describing in detail the judicial machinery set up by the several powers for the control of their nationals in China.

Paragraphs 36 to 50 are observations on the general aspects of the practice of extraterritoriality in China. The commission finds that while the system grew out of the necessity of devising some *modus vivendi* whereby harmonious relations might be fostered between China and the several powers, because of the profound difference between Chinese and foreign legal and judicial conceptions, the Chinese have come to feel that the practice of extraterritoriality is a limitation upon the sovereign rights of China. The commission finds that this feeling is due to the growth of nationalistic feeling in China, along with the rapid expansion of foreign interests in the country, bringing more frequently into prominence the anomalies of the present system. Among such anomalies the commission lists the multiplicity of courts and the diversity of laws involved, pointing out, among other things, that the extraterritorial court in which a trial is taking place has no jurisdiction over an alien plaintiff or witness, that the defendant is debarred from bringing a counter-claim against an alien plaintiff in the same court, and that several courts of several nationalities become involved when aliens of different nationalities are joined in a crime or a suit. The commission comments on the inaccessibility of the extraterritorial courts, which results in burdensome delays, expenses, and other inconveniences. It is furthermore pointed out that the trial of cases before consular judges may be unsatisfactory because of their lack, in many instances, of legal and judicial training, and of the conflicting nature of their administrative and judicial duties. A further

difficulty is found in the fact that under most of the systems of extraterritoriality in China appeals from the judgment of the foreign courts must be taken to the courts beyond the territorial limits of China, a situation which is obviously unfair to Chinese litigants and sometimes inconvenient for foreigners. The commission finds that under this system foreigners are immune from the operation of Chinese regulations inasmuch as the courts of the several powers in China apply to their nationals the same laws as those in force within their territorial limits, with or without modifications. The commission points out that the power to modify such laws, without specific legislative authority in each case, is of course, limited and does not usually extend to the enforcement of Chinese subsidiary legislation (such as regulations relating to traffic, taxation, and the press). Further difficulties present themselves in connection with persons of Chinese race born in foreign countries or naturalized in foreign countries whose foreign citizenship is not recognized in China, due to the difference between the principle of *jus sanguinis* and the principle of *jus soli.*

The lack of arrangements for extradition between China and the extraterritorial powers offers further difficulties, as does the fact that under extraterritorial practice the premises occupied by foreigners enjoying extraterritorial privileges are inviolable, which leads to their becoming places of refuge for Chinese who are wanted by the Chinese courts.

The commission finds that, according to statistics compiled for the year 1925 by the Chinese Maritime Customs, there were in China 254,006 persons and 6,473 firms enjoying extraterritorial privileges as against 83,235 persons and 1,270 firms not enjoying extraterritorial privileges. Of the total number of extraterritorial nationals 98.4 per cent are Japanese, British, American, Portuguese, and French. The remaining 1.6 per cent consists of the nationals of all other powers together. Of

the five extraterritorial powers specially mentioned in the foregoing, 87.4 per cent are Japanese (the larger part of whom are in Manchuria), 6 per cent are British, 3.8 per cent are American, 1.4 per cent are Portuguese, and 1.2 per cent are French.

Part II of the report, consisting of paragraphs 51 to 196, relates to the laws and judicial and prison systems of China. The commission comments upon the work accomplished by the Law Codification Committee which was first set up toward the end of the Ching Dynasty and which has been continued under the Republic with the assistance since 1914 of French and Japanese advisers. Comment is made upon the fact that since the establishment of the Republic in 1912 the theory has been that the constitutional method of enacting law in China was by action of the Chinese Parliament. The commission finds that since the establishment of the Republic three constitutions have at various times been declared to be in force, namely, the Provisional Constitution of 1912, the Constitutional Compact of 1914, and the Constitution of 1923, and each has in turn been set aside. It finds that the last-named constitution was set aside by the Provisional Government which was established in October-November, 1924, and that the result is a state of affairs which, from a constitutional point of view, is vague and unsatisfactory. In considering the laws presented to the commission as laws applied in Chinese courts, the commission found that few, so far as it was able to learn, were ever enacted or confirmed by Parliament in the method generally prescribed by the several constitutions, that in fact they have as their basis mandates of the President or orders of the Ministry of Justice, neither of which has, strictly speaking, any legal or constitutional authority to make laws. The commission finds that although the Chinese laws thus rest on presidential mandates and ministerial orders, they are in fact administered, irrespective of the question, by the Chinese

courts, and it points out that from the juridical point of view the laws appear to be regulations applied with the force of law by the courts, but subject to change or rescission at any time by their creators, the President and the Ministry of Justice. The commission then proceeds to a detailed discussion, law by law, of the several laws submitted to it as being in force.

The judicial system is discussed by the commission in paragraphs 118 to 186, attention being given to the modern courts, the transition courts, the magistrate's courts, the special courts, the military courts, the administrative court, and the police tribunals.

Paragraphs 187 to 196 comprise a discussion of the prison system as it was found to exist by the commission.

Part III of the report relates to the very important subject of the administration of justice in China. Paragraphs 197 to 242 are devoted to the discussion of this subject. In discussing this question the commission points out that when the Republic was established in 1912 the modern legal and judicial systems of China were in their infancy, having been issued a few years before under the Ching Dynasty by a group of public-spirited Chinese whose work was continued under the Republican régime. During the first few years of the Republic the government organization was fairly stable, but for the last ten years the commission finds that there has been increasing disorder in China with a corresponding decrease in the authority of the Central Government together with an assumption of power by the provincial authorities. It finds that from the autumn of 1924 until the spring of 1926 the central executive power was under the control of a provisional government set up by the military authorities. The commission furthermore points out that since the autumn of 1917, the Chinese authorities in the Provinces of Kwangtung and Kwangsi have refused to recognize the authority of the Central Gov-

ernment, while other provinces at various times have since refused recognition to that government.

The commission points out that in addition to the lack of a controlling central government there has been for several years almost continuous civil warfare in the various parts of China.

The commission finds that under the Republican form of government set up in China the matter of legislation was left to Parliament, but that that branch of the government has suffered disorganization, the parliaments having been ephemeral in nature and having contributed but little to the legislation of the country. It finds that in consequence of this state of affairs the matter of legislation has necessarily fallen largely on the President, the Minister of Justice, and other ministers, and points out that the instability of the tenure of ministerial office has rendered the continuity of legislative policy difficult.

The commission finds that among the many serious consequences resulting from this disorganization there are a number which have an important bearing upon the administration of justice. The commission finds in the first place that the reins of government have fallen into the hands of the military leaders who, by virtue of their powerful position, can assume at will administrative, legislative and judicial functions, thus tending to obliterate the line of demarcation between the executive, legislation and judicial branches of the government. In the second place the commission finds that the Government treasury has been depleted to such an extent that funds are at times lacking with which to pay the judicial and police officials. In the third place it finds that the uniformity of the legal and judicial systems is being impaired because of the independent laws and courts established in areas which do not recognize the Central Government. And in the fourth place the commission observes that the extension and protection of the new legal and judicial systems are being retarded.

Considerable space is given by the commission to a recitation of facts indicating interference by Chinese military authorities in the administration of justice. Several cases are cited illustrating how the military authorities have taken the law into their own hands, have seized individuals, and have executed them without trial. The commission states its belief that it is well within the range of moderation to state that in China at the present time there is no effective security against arbitrary action by the military authorities with respect to life, liberty, or property, in so far as such security can be afforded by an effective functioning of the Chinese civil and judicial authorities.

Resolution V of the Washington Conference required that the commission to investigate extraterritorial practice in China was to report its findings of fact and make recommendations "as to such means as they may find suitable to improve the existing conditions of the administration of justice in China, and to assist and further the efforts of the Chinese Government to effect such legislative and judicial reformation as would warrant the several powers in relinquishing, either progressively or otherwise, their respective rights of extraterritoriality."

Part IV of the report of the commission consists entirely of recommendations to the governments. In making these recommendations the commission has gone farther than was required by Resolution V, but it has made them in an effort to correct the present abuses which have arisen in extraterritorial practice in China. The recommendations divide themselves into four parts. The first and second parts are addressed to the Chinese Government and fall within the instructions contained in Resolution V. The third and fourth parts are addressed to the powers enjoying extraterritorial privileges in China. They relate to the abuses of extraterritorial privileges by extraterritorial aliens in China and suggest

steps which may be taken by the several governments to correct them.

The commissioners, having completed their investigations and having made their findings of fact as set forth in Parts, I, II, and III of this report, now make the following recommendations.

The commissioners are of the opinion that, when these recommendations shall have been reasonably compiled with, the several powers would be warranted in relinquishing their respective rights of extraterritoriality.

It is understood that, upon the relinquishment of extraterritoriality, the nationals of the powers concerned will enjoy freedom of residence and trade and civil rights in all parts of China in accordance with the general practice in intercourse among nations and upon a fair and equitable basis.

RECOMMENDATIONS

I

The administration of justice with respect to the civilian population in China must be entrusted to a judiciary which shall be effectively protected against any unwarranted interference by the executive or other branches of the Government, whether civil or military.

II

The Chinese Government should adopt the following program for the improvement of the existing legal, judicial and prison systems of China:

1. It should consider Parts II and III of this report relating to the laws and to the judicial, police, and prison systems, with a view to making such amendments and taking such action as may be necessary to meet the observations there made.

2. It should complete and put into force the following laws:

(1) Civil code.
(2) Commercial code (including negotiable instruments law, maritime law and insurance law).
(3) Revised criminal code.
(4) Banking law.
(5) Bankruptcy law.
(6) Patent law.
(7) Land expropriation law.
(8) Law concerning notaries public.

3. It should establish and maintain a uniform system for the regular enactment, promulgation, and rescission of laws, so that there may be no uncertainty as to the laws of China.

4. It should extend the system of modern courts, modern prisons and modern detention-houses with a view to the elimination of the magistrates' courts and of the old-style prisons and detention-houses.

5. It should make adequate financial provision for the maintenance of courts, detention-houses and prisons and their personnel.

III

It is suggested that, prior to the reasonable compliance with all the recommendations above mentioned but after the principal items thereof have been carried out, the powers concerned, if so desired by the Chinese Government, might consider the abolition of extraterritoriality according to such progressive scheme (whether geographical, partial, or otherwise) as may be agreed upon.

IV

Pending the abolition of extraterritoriality, the Governments of the powers concerned should consider Part

I of this report with a view to meeting the observations there made and, with the cooperation of the Chinese Government wherever necessary, should make certain modifications in the existing systems and practice of extraterritoriality as follows.

1. Application of Chinese Laws

The powers concerned should administer, so far as practicable, in their extraterritorial or consular courts such laws and regulations of China as they may deem it proper to adopt.

2. Mixed Cases and Mixed Courts

As a general rule mixed cases between nationals of the powers concerned as plaintiffs and persons under Chinese jurisdiction as defendants should be tried before the modern Chinese courts (Shen P'an T'ing) without the presence of a foreign assessor to watch the proceedings or otherwise participate. With regard to the existing special mixed courts, their organization and procedure should, as far as the special conditions in the settlements and concessions warrant, be brought into accord with the organization and procedure of the modern Chinese judicial system. Lawyers who are nationals of extraterritorial powers and who are qualified to appear before the extraterritorial or consular courts should be permitted, subject to the laws and regulations governing Chinese lawyers, to represent clients, foreign or Chinese, in all mixed cases. No examination should be required as a qualification for practice in such cases.

3. Nationals of Extraterritorial Powers

(a) The extraterritorial powers should correct certain abuses which have arisen through the extension of foreign protection to Chinese as well as to business and

shipping interests the actual ownership of which is wholly or mainly Chinese.

(b) The extraterritorial powers which do not now require compulsory periodical registration of their nationals in China should make provision for such registration at definite intervals.

4. Judicial Assistance

Necessary arrangements should be made in regard to judicial assistance (including *commissions rogotoires*) between the Chinese authorities and the authorities of the extraterritorial powers and between the authorities of the extraterritorial powers themselves, e.g.:

(a) All agreements between foreigners and persons under Chinese jurisdiction which provide for the settlement of civil matters by arbitration should be recognized, and the awards made in pursuance thereof should be enforced, by the extraterritorial or consular courts in the case of persons under their jurisdiction and by the Chinese courts in the case of persons under their jurisdiction, except when in the opinion of the competent court, the decision is contrary to public order or good morals.

(b) Satisfactory arrangements should be made between the Chinese Government and the powers concerned for the prompt execution of judgments, summonses and warrants of arrest or search, concerning persons under Chinese jurisdiction, duly issued by the Chinese courts and certified by the competent Chinese authorities and *vice versa*.

5. Taxation

Pending the abolition of extraterritoriality, the nationals of the powers concerned should be required to pay such taxes as may be prescribed in laws and regulations duly promulgated by the competent authorities of the Chinese Government and recognized by the powers concerned as applicable to their nationals.

POLICY OF THE UNITED STATES IN CHINA[11]

At this time, when there is so much discussion of the Chinese situation, I deem it my duty to state clearly the position of the Department of State on the questions of tariff autonomy and the relinquishment of extraterritorial rights.

The United States has always desired the unity, the independence, and prosperity of the Chinese nation. It has desired that tariff control and extraterritoriality provided by our treaties with China should as early as possible be released. It was with that in view that the United States made the declaration in relation to the relinquishment of extraterritoriality in the treaty of 1903 and also entered into the treaty of Washington of February 6, 1922, providing for a tariff conference to be held within three months after the coming into force of the treaty.

The United States is now, and has been ever since the negotiation of the Washington treaty, prepared to enter into negotiations with any Government of China or delegates who can represent or speak for China, not only for the putting into force of the surtaxes of the Washington treaty but entirely releasing tariff control and restoring complete tariff autonomy to China.

The United States would expect, however, that it be granted most favored nation treatment and that there should be no discrimination against the United States and its citizens in customs duties or taxes in favor of the citizens of other nations or discrimination by grants of special privileges and that the open door with equal opportunity for trade in China shall be maintained; and, further, that China should afford every protection to American citizens, to their property, and rights.

[11] Statement of Frank B. Kellogg, Secretary of State, on January 26, 1927. *Congressional Record.* (current) 68: 2404-5. January 27, 1927.

The United States is prepared to put into force the recommendations of the extraterritoriality commission which can be put into force without a treaty at once and to negotiate the release of extraterritorial rights as soon as China is prepared to provide protection by law and through her courts to American citizens, their rights, and property.

The willingness of the United States to deal with China in the most liberal spirit will be borne out by a brief history of the events since making the Washington treaty. That treaty was ratified by the last one of the signatory powers on July 7, 1925, and the exchange of ratifications took place in Washington on August 6, 1925. Before the treaties finally went into effect and on June 24, 1925, the Chinese Government addressed identic notes to the signatory powers asking for the revision of existing treaties. On the 1st of July, 1925, I sent instructions to our minister in Peking, which instructions I also communicated to all the other governments urging that this should be made the occasion of evidencing to the Chinese our willingness to consider the question of treaty revision. I urged that the powers expedite preparations for the holding of the special conference regarding the Chinese customs tariff and stated that the United States believed that this special tariff should be requested, after accomplishing the work required by the treaty to make concrete recommendations upon which a program for granting complete tariff autonomy might be worked out. The delegates of the United States were given full powers to negotiate a new treaty recognizing China's tariff autonomy. At the same time I urged the appointment of the commission to investigate extraterritoriality, with the understanding that the commission should be authorized to include in its report recommendations for the gradual relinquishment of extraterritorial rights.

Prior to this, the Chinese Government urged the United States to use its influence with the interested

powers to hasten the calling of the conference on tariff matters and the appointment of the extraterritorial commission and for each government to grant to its representatives the broad power to consider the whole subject of the revision of the treaties and to make recommendations upon the subject of the abolition of extraterritorial rights. This was in harmony with the views of the United States. Accordingly on September 4, 1925, the United States and each of the other powers having tariff treaties with China evidenced their intention to appoint their delegates to the tariff conference. By a vote, which has been published, the powers informed China of their willingness to consider and discuss any reasonable proposal that might be made by the Chinese Government on the revision of the treaties on the subject of the tariff and also announced their intention of appointing their representatives to the extraterritorial commission for the purpose of considering the whole subject of extraterritorial rights and authorizing them to make recommendations for the purpose of enabling the governments concerned to consider what, if any, steps might be taken with a view to the relinquishment of extraterritorial rights. Delegates were promptly appointed and the Chinese tariff conference met on October 26, 1925.

Shortly after the opening of the conference and on November 3, 1925, the American delegation proposed that the conference at once authorize the levying of a surtax of 2½ per cent on necessaries, and, as soon as the requisite schedules could be prepared, authorize the levying of a surtax of up to 5 per cent on luxuries, as provided for by the Washington treaty. Our delegates furthermore announced that the Government of the United States was prepared to proceed at once with the negotiation of such an agreement or agreements as might be necessary for making effective other provisions of the Washington treaty of February 6, 1922. They affirmed the principle of respect for China's tariff autonomy and

announced that they were prepared forthwith to negotiate a new treaty which would give effect to that principle and which should make provision for the abolition of likin, for the removal of tariff restrictions contained in existing treaties, and for the putting into effect of the Chinese national tariff law. On November 19, 1925, the committee on provisional measures of the conference, Chinese delegates participating, unanimously adopted the following resolution:

> The delegates of the powers assembled at this conference resolve to adopt the following proposed article relating to tariff autonomy with a view to incorporating it, together with other matters, to be hereafter agreed upon, in a treaty which is to be signed at this conference.
>
> The contracting powers other than China hereby recognize China's right to enjoy tariff autonomy; agree to remove the tariff restrictions which are contained in existing treaties between themselves respectively and China; and consent to the going into effect of the Chinese national tariff law on January 1, 1929.
>
> The Government of the Republic of China declares that likin shall be abolished simultaneously with the enforcement of the Chinese national tariff law; and further declares that the abolition of likin shall be effectively carried out by the first day of the first month of the eighteenth year of the Republic of China (January 1, 1929).

Continuously from the beginning of the conference, our delegates and technical advisers collaborated with the delegates and technical advisers of the other powers, including China, in an effort to carry out this plan—viz, to put into effect the surtaxes provided for in the Washington treaty, and to provide for additional tariff adequate for all of China's needs until tariff autonomy should go into effect. Until about the middle of April, 1926, there was every prospect for the successful termination of the conference to the satisfaction of the Chinese and the other powers. About that time the Government which represented China at the conference was forced out of power. The delegates of the United States and the other powers, however, remained in China in the hope of con-

tinuing the negotiations, and on July 3, 1926, made a declaration as follows:

> The delegates of the foreign powers to the Chinese customs tariff conference met at the Netherlands legation this morning. They expressed the unanimous and earnest desire to proceed with the work of the conference at the earliest possible moment when the delegates of the Chinese Government are in a position to resume discussion with the foreign delegates of the problems before the conference.

The Government of the United States was ready then and is ready now to continue the negotiations on the entire subject of the tariff and extraterritoriality or to take up negotiations on behalf of the United States alone. The only question is with whom it shall negotiate. As I have said heretofore, if China can agree upon the appointment of delegates representing the authorities or the people of the country, we are prepared to negotiate such a treaty. However, existing treaties which were ratified by the Senate of the United States can not be abrogated by the President but must be superceded by new treaties negotiated with somebody representing China and subsequently ratified by the Senate of the United States.

The Government of the United States has watched with sympathetic interest the nationalistic awakening of China and welcomes every advance made by the Chinese people toward reorganizing their system of government.

During the difficult years since the establishment of the new régime in 1912, the Government of the United States has endeavored in every way to maintain an attitude of the most careful and strict neutrality as among the several factions that have disputed with one another for control in China. The Government of the United States expects, however, that the people of China and their leaders will recognize the right of American citizens in China to protection for life and property during the period of conflict for which they are not responsible. In the event that the Chinese authorities are unable

to afford such protection, it is, of course, the fundamental duty of the United States to protect the lives and property of its citizens. It is with the possible necessity for this in view that American naval forces are now in Chinese waters. This Government wishes to deal with China in a most liberal spirit. It holds no concessions in China and has never manifested any imperialistic attitude toward that country. It desires, however, that its citizens be given equal opportunity with the citizens of the other powers to reside in China and to pursue their legitimate occupations without special privileges, monopolies, or spheres of special interest or influence.

AMERICAN FRIENDSHIP FOR CHINA[12]

Another important problem in our foreign intercourse relates to China. That country is undergoing a revolutionary convulsion. It is broken up into several separate parts, each claiming to represent a Government, none of which we have recognized. Our main difficulty here is the protection of the life and property of our citizens. We have many missionaries there and some commercial establishments. We have nothing in the way of concessions. We have never occupied any territory. Our citizens are being concentrated in ports where we can protect them and remove them. It is solely for this purpose that our warships and marines are in that territory.

While this process was going on the unfortunate incident arose at Nanking. One of our citizens was murdered, another was wounded, our consulate was violated, and when the house in which our people had taken refuge was surrounded and they were actually under fire it became necessary for one of our ships, and one of the British ships in the harbor, to lay down a barrage, to drive

[12] From address of President Coolidge at the United Press banquet in New York, April 25, 1927. *New York World.* p. 6. April 26, 1927.

away soldiers and the mob who were making the attack and to enable our citizens to reach a place of safety on our ships in the river. We presented with the other powers who had suffered like attacks identic notes of protest to which a reply has been made, which, although conciliatory in tone and to a certain degree responsive, leaves the final disposition of the issue a matter for further consideration by our Government.

Weeks ago we saw this situation developing and sent a suggestion to the contending factions that they exclude the foreign quarters of the city of Shanghai from the area of military operations. This they failed to do, making the despatch of our forces necessary. In a public statement issued by our Secretary of State the 27th of January we indicated that we were ready to negotiate a treaty giving China complete tariff autonomy and to negotiate the release of extraterritorial rights as soon as China is prepared to give protection to American citizens and their property.

The friendship of America for China has become proverbial. We feel for her the deepest sympathy in these times of her distress. We have no disposition to do otherwise than to assist and encourage every legitimate aspiration for freedom, for unity, for the cultivation of a national spirit, and the realization of a republican form of government.

In the turmoil and strife of the present time we realize fully that forces may be let loose temporarily beyond their power to control, which may do injury to American nationals. It is to guard against that eventuality that our forces are in Chinese waters and to do what China itself would do if peace prevailed. We do not wish to pursue any course of aggression against the Chinese people. We are there to prevent aggression against our people by any of their disorderly elements. Ultimately the turmoil will quiet down and some form of authority will emerge, which will no doubt be prepared to make adequate settle-

ment for any wrongs we have suffered. We shall, of course, maintain the dignity of our Government and insist upon proper respect being extended to our authority. But our actions will at all times be those of a friend solicitous for the well-being of the Chinese people.

MEMORANDUM ON POLICY IN CHINA[18]

For some time past His Majesty's Government have watched with growing anxiety the situation in China, and they believe that this anxiety will be shared by the Governments of the interested Powers. Five years ago the Powers assembled at Washington and, taking into consideration the circumstances then existing in China, they agreed among themselves, in conjunction with the representatives of the Chinese Government, that their future policy should be guided by certain general principles designed to safeguard the integrity and independence of China, to promote her political and economic development and rehabilitation of her finances. It was agreed to grant her certain increases on her treaty tariff in order to provide the revenue required for these purposes. It was further agreed that a commission should examine the question of extra-territoriality with a view to amending the system now in force by the elimination of abuses and accretions and by the removal of unnecessary limitations on China's sovereignty.

2. Unfortunately the Tariff Conference did not meet for four years, and during that period the situation had greatly deteriorated. During a succession of civil wars the authority of the Peking Government had diminished almost to vanishing point, while in the south a powerful Nationalist Government at Canton definitely disputed the right of the Government at Peking to speak on be-

[18] British Memorandum communicated by the British Charge d'Affairs in Peking on December 18, 1926, to the representatives of the Washington Treaty Powers.

half of China or enter into binding engagements in her name. This process of disintegration, civil war and waning central authority continued with increased acceleration after the Tariff Conference had met until eventually the conference negotations came to an end because there was no longer a Government with whom to negotiate.

3. The Commission on Extra-territoriality has meanwhile completed its labours and presented its report, but here, again, we are faced with a similar difficulty due to the disintegration of China. The recommendations contained in the report, while suggesting certain reforms capable of being carried into immediate effect, presuppose for their full execution the existence of a Government possessing authority to enter into engagements on behalf of the whole of China.

4. During all these civil wars it has been the consistent policy of His Majesty's Government to abstain from any interference between the warring factions or rival Governments. Despite the disorders which civil war engenders and the grievous losses inflicted on the vast commercial interests, both Chinese and foreign, His Majesty's Government have declined to associate themselves with any particular faction or to interfere in any way in the civil commotions. His Majesty's Government believe that the Powers have adopted a similar attitude and that this is and will continue to be the only right attitude to maintain.

5. The situation which exists in China to-day is thus entirely different from that which faced the Powers at the time they framed the Washington treaties. In the present state of confusion, though some progress has been made by means of local negotiation and agreements with regional Governments, it has not been possible for the Powers to proceed with the larger programme of treaty revision which was foreshadowed at Washington or to arrive at a settlement of any of the outstanding questions relating to the position of foreigners in China.

The political disintegration in China has, however, been accompanied by the growth of a powerful Nationalist movement, which aimed at gaining for China an equal place among the nations, and any failure to meet this movement with sympathy and understanding would not respond to the real intentions of the Powers towards China.

6. His Majesty's Government, after carefully reviewing the position, desire to submit their considered opinion as to the course which the Washington Treaty Powers should now adopt. His Majesty's Government propose that these Governments shall issue a statement setting forth the essential facts of the situation; declaring their readiness to negotiate on treaty revision and all other outstanding questions as soon as the Chinese themselves have constituted a Government with authority to negotiate; and stating their intention pending the establishment of such a Government to pursue a constructive policy in harmony with the spirit of the Washington Conference but developed and adapted to meet the altered circumstances of the present time.

7. His Majesty's Government propose that in this joint declaration the Powers should make it clear that in their constructive policy they desire to go as far as possible towards meeting the legitimate aspirations of the Chinese nation. They should abandon the idea that the economic and political development of China can only be secured under foreign tutelage and should declare their readiness to recognize her right to the enjoyment of tariff autonomy as soon as she herself has settled and promulgated a new national tariff. They should expressly disclaim any intention of forcing foreign control upon an unwilling China. While calling upon China to maintain that respect for the sanctity of treaties which is the primary obligation common to all civilised States, the Powers should yet recognize both the essential justice of the Chinese claim for treaty revision and the difficulty

under present conditions of negotiating new treaties in place of the old, and they should therefore modify their traditional attitude of rigid insistence on the strict letter of treaty rights. During this possibly very prolonged period of uncertainty the Powers can only, in the view of His Majesty's Government, adopt an expectant attitude and endeavour to shape developments so far as possible in conformity with the realities of the situation so that ultimately, when treaty revision becomes possible it will be found that part at least of the revision has already been effected on satisfactory lines. It would therefore be wise to abandon the policy of ineffective protest over minor matters, reserving protest—which should then be made effective by united action—only for cases where vital interests are at stake. Every case should be considered on its merits and the declaration should show that the Powers are prepared to consider in sympathetic spirit any reasonable proposals that the Chinese authorities, wherever situated, may make, even if contrary to strict interpretation of treaty rights, in return for fair and considerate treatment of foreign interests by them. The declaration should show that it is the policy of the Powers to endeavor to maintain harmonious relations with China without waiting for or insisting on the prior establishment of a strong Central Government.

8. It is the earnest hope of His Majesty's Government that the Powers will agree to adopt the principles of the policy outlined above and apply them to the realities of the present situation. Certain recommendations in the report of the Commission on Extra-territoriality referred to in paragraph 3 above and certain other reforms not covered by that commission's report but falling under the general heading of extra-territoriality can be carried into effect even in present conditions without delay. There is, however, one step of more immediate importance which in the opinion of His Majesty's Government the Powers should agree to take at once. His

Majesty's Government believe that an endeavor should be made to undo the evil results which have flowed from the failure of the Tariff Conference to implement the promises as to tariff increases made by the Powers to China nearly five years ago, and they propose, therefore, that the Powers should agree to the immediate unconditional grant of the Washington surtaxes.

9. By the China Customs Treaty signed at Washington on the 6th of February, 1922, the Powers promised to grant China certain tariff increases (commonly known as the Washington surtaxes) "for such purposes and subject to such conditions" as the special conference might determine. That special conference is the Tariff Conference which, after a delay of nearly four years, met in Peking on the 26th of October, 1925, and has now to all intents and purposes definitely failed. The promised surtaxes have not been granted. The foreign delegations were not satisfied with the assurances which the Chinese delegation offered at the session of the 18th of March as to the purposes to which the Chinese Government would themselves devote the proceeds of the surtaxes. They were prepared to grant them only upon conditions which ensured that the proceeds would be placed under foreign control and applied—in great part —to the liquidation of the unsecured debt.

10. From the very outset His Majesty's Government were opposed to the question of the unsecured debt being dealt with by the Tariff Conference at all, and they frankly expressed this view in a confidential memorandum communicated to the Consortium Powers early in 1923. They foresaw that it might defeat the intentions of the Washington Conference, which were to assist the economic and political development of China and to relax —not to tighten—foreign control. They held that, the object of the concessions proposed at the Washington Conference being to benefit China, the principal purposes to which the customs surtax should be devoted ought to

be productive objects, such as railway construction, and social or economic reforms which would be a permanent benefit to China as a whole. The most promising of these reforms was in their opinion the abolition of *li-kin,* which, moreover, was expressly contemplated in the treaty itself.

11. It has been argued that debt consolidation would also be a permanent benefit to China because it would restore China's credit. This argument would doubtless be valid if there were a Government in effective control of the whole country, but in China today debt consolidation could only enable the faction which happened to be in power in Peking to resort to fresh ruinous and unproductive borrowing. His Majesty's Government were therefore opposed to making the consolidation of the unsecured debt one of the purposes to be attained by the tariff Conference, although their own nationals were directly interested in the funding of some of these debts.

12. A further objection to the inclusion of the unsecured debt among the subjects to be dealt with at the Tariff Conference was brought into relief by the grant in principle of tariff autonomy. That raised at once in acute form the question of control over customs revenues. His Majesty's Government viewed with grave misgiving the proposal that foreign control should be extended over additional revenues which might be increased by tariff autonomy. In 1921 it was natural that the Powers should demand guarantees for the due fulfilment of the benevolent purposes which the Washington Conference aimed at achieving. But what might have been practicable in 1921 was no longer possible in 1926. It was obvious that China would not now submit to any extension of foreign control either for debt consolidition or for the abolition of *li-kin,* and it seemed to His Majesty's Government that for the Powers to unite in an attempt to impose control upon an unwilling China would be entirely

opposed to the spirit of the Washington treaties, and to the policy which His Majesty's Government had consistently advocated. At the same time His Majesty's Government felt that it was essential that the Washington promises, so long overdue, should be implemented. Accordingly on the 28th of May last, in reply to an enquiry from the United States Government as to the attitude of His Majesty's Government towards the Tariff Conference, they proposed in a memorandum that the Powers should abstain from any attempt to exact guarantees of conditions, but should forthwith authorise the levy of the surtaxes.

13. Owing to the collapse of the conference no action on this proposal was possible. The situation, however, suddenly developed in the very direction which was anticipated when the proposal was made. The Cantonese did, in fact, seize the Washington surtaxes by levying, in defiance of the treaties, certain additional taxes on the foreign trade of the port. His Majesty's Government have with much reluctance joined in the protest against the new taxes for the sake of maintaining solidarity with the Powers, but they are not satisfied that this is the right policy for the present situation. They regret that they did not more insistently press their views at an earlier stage of the conference, but they think that it is still not too late, despite the protest already made, to return to the alternative course proposed in the memorandum of 28th of May. His Majesty's Government therefore strongly urge that the Powers should now authorise the immediate levy of the Washington surtaxes unconditionally throughout China. They hope that this may provide a basis for regularising the position at Canton.

14. The principal objection that will probably be made to this proposal is that in strict logic it would amount to condoning a breach of treaty. This argument however, does not sufficiently take into account the realities of the situation. The basic facts of the present sit-

uation are that the treaties are now admittedly in many respects out of date, and that in any attempt to secure revision the Chinese are confronted on the one hand with the internal difficulty of their own disunion and on the other with the external difficulty of obtaining the unanimous concurrence of the Powers. The latest instance of this is the failure of the attempt to alter the tariff of 1858. His Majesty's Government attach the greatest importance to the sanctity of treaties, but they believe that this principle may best be maintained by a sympathetic adjustment of treaty rights to the equitable claims of the Chinese. Protests should be reserved for cases where there is an attempt at wholesale repudiation of treaty obligations or an attack upon the legitimate and vital interests of foreigners in China, and in these cases the protests should be made effective by the united action of the Powers.

15. His Majesty's Government have consistently carried out the obligation of full and frank consultation imposed on all the Powers alike by article 7 of the Nine-Power Pact, and it has been their constant aim—sometimes even when this involved a sacrifice of their own opinion—to maintain the solidarity of the Powers. It is in pursuance of this aim that His Majesty's Government are now communicating to the Powers this statement of the principles by which they believe that policy should be guided in the future. They feel assured that the Powers will share the anxiety of His Majesty's Government to act towards China in the spirit which inspired the Washington treaties, and it is their earnest hope that the Powers will agree that that spirit cannot better be fulfilled than by adopting the policy which is now presented for their consideration.

16. It seems to His Majesty's Government that the first step towards the carrying out of this new policy into effect should be the immediate unconditional grant of the Washington surtaxes. Lest it be supposed that the grant

of the surtaxes might favour one faction at the expense of others and so provide a further incentive to civil war, His Majesty's Government deem it important to point out that, as no conditions would be attached to the grant, the proceeds of the surtaxes would not necessarily be remitted by the commissioners of customs to the custodian banks at Shanghai. It would in each case be for the competent Chinese authorities to decide all questions as to the disposition and banking of these additional revenues. His Majesty's Government would be glad to learn at the earliest possible moment whether the Powers agree to the unconditional grant of the Washington surtaxes.

BRITISH PROPOSALS TO CHINA[14]

1. His Majesty's Government are prepared to recognize the modern Chinese Law Courts as competent Courts for cases brought by British plaintiffs or complainants at the hearing of such cases.

2. His Majesty's Government are prepared to recognize the validity of a reasonable Chinese Nationality Law.

3. His Majesty's Government are prepared to apply as far as practicable in the British Courts in China the modern Chinese Civil and Commercial Codes—apart from procedure Codes and those affecting personal status—and duly enacted subordinate legislation as and when such laws and regulations are promulgated and enforced in Chinese Courts and on Chinese citizens throughout China.

4. His Majesty's Government are prepared to make British subjects in China liable to pay such regular and legal Chinese taxation not involving discrimination against British subjects or British goods, as is in fact

[14] Proposals communicated to the Chinese authorities at Peking and Hankow on January 27, 1927. *Chinese Social and Political Science Review.* 11: 108-9. April, 1927.

imposed on, and paid by, Chinese citizens throughout China.

5. His Majesty's Government are prepared, as soon as a revised Chinese Penal Code is promulgated and applied in Chinese Courts, to consider its application in British Courts in China.

6. His Majesty's Government are prepared to discuss and enter into arrangements according to particular circumstances at each port concerned for the modification of Municipal Administration of British Concessions, so as to bring them into line with the administration of Special Chinese Administrations set up in former Concessions, or for their amalgamation with former Concessions now under Chinese control, or for the transfer of police control of Concession areas to the Chinese authorities.

7. His Majesty's Government are prepared to accept the principle that British missionaries should no longer claim the right to purchase land in the interior, that Chinese converts should look to Chinese Law and not to the Treaties for protection, and that missionary educational and medical institutions will conform to Chinese laws and regulations applying to similar Chinese institutions.

(NOTE: When communicating these proposals to Mr. Yu-jen Chen at Hankow on January 27, the British representative Mr. O'Malley prefaced them with the following: "When a satisfactory settlement has been reached respecting the British Concessions at Hankow and Kiukiang and when assurances have been given by the Nationalist Government that they will not countenance any alteration, except by negotiation, of the status of the British Concessions and International Settlements, His Majesty's Government will be prepared to concede at once and on lines indicated in the enclosure hereto, part of what is desired of them by the Chinese Nationalist Party. So liberal and generous a step cannot in

their view be regarded otherwise than as an earnest of the fair and conciliatory spirit with which they are animated.")

MUTUAL UNDERSTANDING IN THE PACIFIC[15]

The world has now been conquered geographically. We know its land and its oceans and have seen both of its poles. It has become smaller each year in its possibilities of human association because of invention and modern organization. The countries of the world have become interdependent, the food supplies of the world are held in common by the human family, and the industrial welfare of one nation depends upon the life processes in other nations.

In the Pacific our main points of contract have been comparatively few and largely through the business man, the missionary, the student, the diplomat and the tourist. There has been much scarehead newspaper contact which has led to wide misapprehension in each country of the others. We have to face not only greater distances than those of the Atlantic, but also differences in language, race, custom, culture and attitude toward constituted law.

We need more facts and to have them better distributed and more good will. The barriers of high cable rates, of sensational news, of racial prejudice, of ignorance must be beaten down. There is no question of racial superiority, but there is the question of racial opportunity. The same strivings for advance, for liberty, for better living conditions for man are found in all of the nations.

The great question is: Can these forces be directed to man's advance along the lines of peace and mutual

[15] From paper by Dr. Ray Lyman Wilbur read before the Chinese Social and Political Science Association, December 2, 1926. *Chinese Social and Political Science Review.* 11: 225-7. April, 1927.

understanding, or must the Pacific repeat the sad and bloody history of the Atlantic? Cannot the men of good will and vision keep the upperhand and keep those strong emotions characteristic of men and nations under control? It is a stupendous task, but not beyond human power.

Tolerance, patience, and sanity are required as well as research and wide publicity. Follow the Pacific borders and you sketch the countries holding the future of our race in their keeping—Alaska, Canada, the United States, Mexico, Central America, South America, New Zealand, Australia, the Islands of the Pacific, the Phillippines, Dutch Indies, French Indo-China, Siam, Japan, China, Russia and the great British Empire with interests at many points. Upon the leaders and the peoples of this Pacific area rests the responsibility of looking at history and then deciding to know and understand each other, for otherwise the days before us are to be dark and unworthy of our present status as sons of men.

SELF-RESPECT AND MOB VIOLENCE [16]

To those who govern in China, the unequal position their country occupies in its international relation is clear. But one may well wonder how the general masses have come to realize the indignities their country has been submitted to.

At every one of the treaty ports—especially the larger cities like Shanghai, Hankow, Kiukiang, Canton, Tientsin and some others—one may find those so-called "old China hands," foreigners who have lived for a certain length of time in China and who regard the Chinese as a people to be exploited and never associated with. The

[16] From article, "Growth of Nationalism," by Yang Kuang-Sheng, Professor of Chinese, Georgetown University. *Current History*. 26: 353-4. June, 1927.

impression they have is that of a docile, poverty stricken, backward, powerless China. They would kick a coolie as they would kick a dog; they would bully a Chinaman merely for diversion. They overstep every line of propriety. They despise the country where they are making a comfortable and luxurious living; and, what is worse, they make no effort to conceal their sentiments. The Shanghai Municipal Council overawes the coolies with the tall, red-turbaned Sikhs from India. It forbids its municipal parks to dogs, Chinese and bicycles. These acts need no translation; they can be understood alike by peasants and coolies, who pocket their pride because there is no alternative.

After living in such an atmosphere for years, they could not help having a feeling of resentment and rebellion. When they were held subject, they appeared complacent and placid; when occasion offered itself, they rose with a vengeance. Mobs overran the Hankow British Concession. Anti-foreign riots endangered foreign lives and property in the interior and even treaty ports. Within a period of a few months the feeling rose so high that it was found advisable for all foreigners to evacuate the upper Yangtse and other cities where foreign gunboats could not reach. Refugees streamed into the now almost fortified foreign stronghold—Shanghai.

In addressing the American Chamber of Commerce at Shanghai, Judge John Barton Payne, Chairman of the American Red Cross, declared that, "Much of the foreigners' trouble in China has been due to the arrogance, bumptiousness and foolishness of some foreign residents, in China." The Chinese masses south of the Yangtse are now saturated with ideas, either of a radical or of a moderate tinge, against foreign aggression, Christianity and imperialism. The long suppressed sense of humiliation has at last found its outlet.

Aside from the cause furnished by the insolence of some of the foreigners, we may attribute the present

awakening of the masses of China to the Chinese Renaissance, closely connected with the student movement and the Mass Education movement.

During the last twenty years young and educated men have gone abroad and they have come home with a racial and national consciousness never so keenly felt before. Before their departure and in common with thousands of other young men who have gone through the Chinese middle schools or colleges, they have already learned of China's military reverses, of indemnities, concessions and other humiliating incidents. On the eve of their departure they find that at Shanghai, in their own country, they are barred from the municipal parks, scowled at by the Sikhs and pushed off the sidewalk by drunken marines. When they reach the foreign countries, they discover that immigration laws discriminate against them. And during the four years or more of their sojourn abroad, they have been constantly reminded of their nationality, their race, their "inferiority." At the same time they study democratic political theories, the American and French Revolutions, "taxation without representation," independence and equality.

These men have reached one conclusion: they may be discriminated against in countries where they are foreigners, but they ought to have at least an equal, if not superior, status with the aliens in their home country. And in order to preserve their personal as well as national self-respect, they feel that they must put their country on the basis of international equality. This is the spark that set off the explosion. And so now we see young China, Nationalistic rather than Bolshevistic, anti-foreign, or anti-Christian, sweeping across the country, determined to establish a Government that will achieve internal democracy and prosperity as well as international equality.

BANKING CONSORTIUM [17]

The new international banking consortium, participated in by the United States, Great Britain, France, and Japan, and formally organized in 1920, was proposed by the United States after the war. Its purpose was to finance all future loans to China, industrial as well as political, with a view of helping China in the establishment of her great public utilities, such as railways, canals, etc., thereby assisting in establishing China economically and financially. Those who first suggested the idea wanted to remove the evils which unrestrained international competition after the war would surely have brought about. They desired, also, to protect the future of Chinese life by preventing the development of mutually exclusive spheres of influence which would tend to weaken if not to destroy the unity of China. However plausible those desires may seem to be, the consortium has not been received with favor by China. At least two objections are raised:

First, China objects to the monopolistic character of the consortium. Had it laid down new rules for the game of international finance on a basis of free, fair, and friendly competition untainted with diplomatic pressure or political coercion, it could have become a potential instrument for good. But, as it was, the different banking groups went ahead to combine all their so-called vested interests in a consortium of four powers only, at the expense of the open door for other nations. Although such a common pool would insure for the four national banking groups the privilege of equal opportunity, it could be attained only at the expense of China's right of free bargaining. Futhermore, in designating "loans of a public character" emanating from the Chi-

[17] From "China's Relations With the United States," by Ping Wen Kuo, director, China Institute in America. *In* "Oriental Interpretations of the Far Eastern problem." p. 196-8. Copyright. University of Chicago Press, Chicago. 1925.

nese government as its exclusive option, the consortium has in effect substituted for the regional spheres of interest a fiscal sphere of interest. It is an absolute banking combination, a credit monoply, so complete and overwhelming that little freedom would be left to China as a money-borrower.

Second, China objects to the political nature of the consortium. The method of financing as it is contemplated, having the backing of four controlling political bodies of the world, has the danger of infringing upon China's sovereign rights by taking China's public finance under foreign supervision or control, by granting the land tax of the nation as security for the loan and by making additional revenues flow into foreign banks acting as government depositories. So long as foreign investment has more of a political than a business flavor, the Chinese will be unwilling to accept the loaning terms, feeling as they do that it is better to remain in national poverty then to suffer from a foreign financial yoke.

DISCUSSION IN FAVOR OF CHINA

PEACE AND CHINA[1]

Hon. Silas H. Strawn, the able representative of the United States to the special conference of Chinese customs tariff, has said in a public address since his return that there is no government in China, that there is little hope for China unless, as I infer from his remarks, she finds a dictator of the type of Mussolini. He then states: "The real trouble with China today is not that she is suffering from imperialism, from unequal treaties, from exterritoriality, or from the lack of tariff autonomy, it is that there is no government but that dominated by war lords who have but two motives—greed and aggrandizement."

We are familiar with and are prone to discuss the present conditions in China. We are also familiar with but not so prone to discuss the policies which have contributed to these conditions. I do not see how we can deal successfully with that situation if we persist in ignoring the facts which have so materially contributed to the turmoil and strife, the dissension and the looting now going on in China. A vast amount of light will be thrown upon the future if we give some consideration to the past. For years foreign powers have been closing in, as it were, upon China. Her natural wealth and the almost unlimited possibilities of commerce have been the great temptation. In dealing with the problems which the Chinese situation now presents, we cannot ignore the fact that more than forty of her important cities

[1] From address by Senator William E. Borah, delivered under auspices of National Council Jewish Women, Philadelphia, November 16, 1926. *Advocate of Peace.* 88: 692-4. December, 1926.

and many of her great ports are now under foreign control. What would be the possibilities as to peace and contentment, the possibilities of progress and development, in any country under such circumstances? Her natural resources are being partitioned and divided among outside powers. Her tariff duties are fixed by thirteen different nations. These nations determine what tariff duty China may collect, and determine what tariff duty she must pay when importing into these respective nations. The Chinese have been permitted for years to enjoy but five per cent tariff rate on imports. There is not a nation, even professed free-trade nations, which could, or would live under such a revenue law. The foreigner in China is exempt from the administration of Chinese laws. War ships of foreign countries patrol her defenseless coast and foreign gun boats ply and police her rivers. In foreign factories the Chinese children work under circumstances and conditions and environments which human language is inadequate to describe, under rules as merciless as death. The child labor conditions in China, according to reports made by impartial investigators, stand out in hideous cruelty—an indefensible thing. China, in other words, is dominated in all matters which are essential to a nation's prosperity and growth by foreign powers. In addition to this state of affairs, it will be remembered that specific demands have been made upon China, not only to give over her natural resources, but her sovereignty as a people. In this condition of affairs you have the first great fact with which we must deal if we are to have peace in the Orient.

The second important fact is this—the spirit of nationalism is fast laying hold upon the hearts and minds of four hundred million people, not nationalism as Western nations have practiced it and taught it. This is a fact which foreign powers are reluctant to admit and unwilling to accept. China for the Chinese has come to

be the battle cry of that vast seething sea of humanity. It is particularly, and especially, the cry of the young and the coming generation. The world at large has come to entertain some doubt as to just what the Allied and Associated Powers meant when they declared for self-determination and the right of all peoples to have their own form of government and live their own lives. We will not pause to discuss what they meant or all they meant or seek to refine upon this old creed newly promulgated. But there were peoples all over the world who accepted this creed in all its breadth and depth and have been striving ever since in one way or another to come into the enjoyment of its uplifting and healing power. This message seemed to go out from the great nations to all humanity, regardless of faith or race, creed or color, and so it was received. It is with this spirit, this holy passion, which the eager resolves of a sacrificial hour evoked and spread about with which we now have to deal. It will not down. It ought not to down. Some say that nationalism is a great evil, an obstacle to peace; others will tell you it is the foundation of a sound, sane and wholesome world fabric. We need not stop to philosophize. The fact is it is here, and must be reckoned with and respected. We may write and sign treaties and devise schemes for world peace, but all these things may disappear in a night if there is buried beneath your structure of peace the inexplicable urge of a people "to live their own lives" in their own way. This spirit of nationalism was augmented and stressed by the World War, and it is today the most tremendous fact in the life of the Chinese people, a people who constitute one-fourth of the population of the earth and occupy an area larger than that of the United States. China is asking for the right of self-determination and they believe that the great obstacle to that realization is these encroachments upon their territory of which I have spoken, this attack upon her sovereignty which is now

a matter of history. Disturbances and conflicts and strife among themselves, of course, there are, and that is important. It will take some time for these things to run their course. But the Chinese problem at bottom is nationalism coming into the presence of imperialism. What is the world going to do about it? What are those going to do about it who are most interested in China? Here is your test in the peace program. Will we seek to adjust conditions through peaceful methods, in doing justice, or will China be tantalized into desperate things and then the appeal to force. Do not misunderstand me. I am not at this time seeking to put the blame here or there, especially I do not wish to be understood as criticizing our own government. But I do wish to say tonight that the nation which, under the circumstances now existing in China, invokes the brutal policy of force in China will be the deliberate assassin of justice in the Orient for decades and decades. It will dedicate that land to misery and bloodshed for years to come, and in the end it would settle nothing—force never does. The time has gone by in China when you can shoot down men as they did last July a year ago and see a nation bow like whipped slaves. We must recognize and deal with them as a great people. We must deal with them, in so far as we deal with them as a nation, upon terms of equality. We must deal with them in absolute justice to their own rights and to their right to live their own lives, and to possess and enjoy what in all justice is theirs as a people.

The policy of the United States toward China has been characterized by a fine consideration for the rights and aspirations of the Chinese people. We have universally respected the integrity of her territory. We have returned to her funds which in technical right we might have withheld. As a nation we have respected those things which a nation most cherishes. For this policy we are now in certain quarters being subjected

to ridicule or serious criticism. We are told that our policy means failure, that force must be accepted as the basic principle of a successful Oriental policy—that force is the only thing that they understand, and therefore, the only thing they respect. This is the old, cruel, brutal, imperialistic policy, the revolting creed which not only made possible but certain the World War. China may furnish the acid test of whether the world has been converted to justice as a basis of international dealing or whether it proposes to retain the barbarous creed of force. It is within the power of the foreign nations to do justice, to do righteousness, to China and thus lead the way to peace. There is turmoil now in China, internal dissension. There could not be anything else under policies which have obtained. But one thing we must bear in mind, and that is, that there are strong indications that these internal dissensions may disappear before a program for national integrity and national independence. The Chinese people have been deprived for years of means to sustain a government—they have been demoralized by demands for the breaking up of the nation, they have had fastened on them obsolete and unjust treaties, and they have had revolution which always means turmoil. But it would be dangerous to assume that these things may not be molded into one concerted national force through the dominating spirit of nationalism. I am one who believes that with fair and just treatment, with rights accorded to her to which every nation is entitled, with a clean unmistakable policy upon the part of the foreign nations, of help instead of exploitation, China can take her place among the strong and prosperous nations. She will soon adjust her internal troubles. She has the manpower, she has the wealth, she has the territory, or should have, and instinctively and innately, they are a law-abiding, frugal, industrious, home-loving people. Let us not make any mistake, my friends, that national feeling in China will

compel respect. Four hundred million people, imbued with the spirit of independence and of national integrity, are in the end invincible. There is no power which can master them or hold them in subjection. War ships and Gatling guns and dead students may mislead some, but the forces which determine the actions of empires and great nations lie deeper.

CHINA AND THE TREATY POWERS[2]

The newly awakened pride upon the part of the Chinese people in their own cultural qualities is something quite different from their old pride in themselves. It is one that recognizes that there may be other civilizations as excellent as their own and possessing features or characteristics which they might well borrow and incorporate into their own. But they also recognize that their own civilization, which is made up of their social customs, their ethical ideals, their artistic impulses, their religious strivings, and their economic or industrial processes, has its own inherent excellences, and, as the product of their own native genius combined with their own special needs, furnishes a better vehicle of life than can possibly be supplied by any alien culture. They, therefore, believe that injury rather than benefit will almost surely follow an attempt to substitute, in any wholesale manner, foreign for native standards of life and social conduct. Thus my people fully recognize that they have much to learn from the science of the Western World, from certain features of its educational systems, and from its standards of economy and efficiency as applied in the fields of public administration. But in the deeper issues of cultural conflict, in the matters which go to the very heart of their thought and art and ethics, they are not prepared to surrender their own ideals, for they be-

[2] From address by Mr. Sao-Ke Alfred Sze, Chinese Minister to the United States. 17p. Chinese Legation. Washington, D.C.

lieve them to be well suited to themselves. Intelligent foreigners who live in China soon realize that there is a reason and generally a good reason for many things which at first they do not understand. Just as they learn that the projection of the eaves of a Chinese house is nicely calculated to give the maximum protection from the sun and the rain, so they come to perceive that many of the social and cultural aspects of the civilization in which their lot is cast which at first impress them merely as curious or possibly as unfortunate really grow out of the necessities of the situation and are adapted to its needs. The Chinese do not claim that their ideals are inherently and intrinsically the best conceivable, for they recognize that there is no rationality in an attempt to compare in an abstract way—*in vacuo* as it were—two different civilizations in order to determine their relative merits. Each, it is perceived, is susceptible of evaluation only when tested by the situation to which it is applied.

The reaction in China against Western influence is such as, under any circumstances, might be expected of any people with an advanced civilization of their own when threatened by powerful foreign influences. But, in China, the situation has assumed a more serious aspect by reason of the indignities which, extending over nearly a century, have been inflicted upon China by the militarily stronger Powers. There has thus arisen among my people a feeling, which has become one of indignation, that, for sordid and selfish reasons, these other Powers should treat their State not as an equal among equals in the family of Nations, but as an inferior political entity or public person, to whom the inherent and essential rights of sovereignty are to be denied, and whose legitimate interests are to be subordinated to theirs. Realizing this, my people feel that a dangerously disorganizing and demoralizing element will be introduced into their lives if Western philosophies and modes of life are

accepted too rapidly or in too great bulk to be fully incorporated into and assimilated to their own indigenous culture.

Together with this unequal, oppressive, and selfish treatment of the Chinese in their own country has gone, in many countries, an unsympathetic and unjust treatment by the Treaty Powers of the Chinese living within their several borders. Their lives and liberties and the property rights of these Chinese have, in many cases, not been protected, or violations of them adequately punished. And even the United States, which has in so many respects given an example to the world in the fairness and justice of its international dealings with China as a nation and with Chinese in China, has, I regret to say, no better record than the other nations in her dealing with the individual Chinese in America.

It is a well known fact that my people have, for many years, felt that they have not received from the other great powers of the world that just and equal treatment to which they have believed themselves, as a nation, to be entitled. This feeling has, during the past few years, and especially during the last eighteen months, become articulate and emphatic in its manifestations. There has thus arisen a situation which all must recognize as a serious one, for it cannot but be a matter of portentous import that a Nation, which includes within its numbers a quarter of the entire human race, should be convinced, with practical unanimity, that the treaties which determine its rights and obligations vis-a-vis the other Powers and define the rights and obligations of those Powers vis-a-vis China, are essentially unequal in character and oppressive in their operation. That the Chinese people are unitedly of this opinion admits of no reasonable doubt.

It is now more than eighty years since the inroads upon the free exercise by China of her sovereign rights began, and, without regard to what justification, if any,

there then was for the inauguration of this regime of unequal and non-reciprocal treatment in China by the other, and militarily speaking, more powerful nations, I am led to ask whether it would not be a wise thing for all the states concerned to consider whether the situation, as it now exists, cannot be corrected by abandoning all technical claims based upon agreements which, in many cases, at least, have become anachronistic, and, facing squarely the conditions as they now exist, determining what these conditions demand as tested by equity or utility. In other words, my inquiry is whether it will not be a matter of wisdom to raze to the ground the present complicated and ramshackle structure of treaty relations with China, and thus provide the space upon which to erect a new international edifice which will rest upon firm foundations of justice and mutual interests, and which by its proportions and appointments, will be adapted to the needs and international equities of the present day.

I will say, in all sincerity, that this is the way, and the only way, in which the problem of China's future relations with the Powers can be satisfactorily solved. Continuing the simile with which I have begun, I would say that it seems to me that the making of an addition here, or of a repair there, to the structure as it now stands, of opening another window or door in one place or closing them in another place, is not likely to lead to results which will be wholly desirable. It is not merely that the roof of the building, which the treaties have constructed, leaks in a dozen places, and that the partitioning walls which divide it into different jurisdictional compartments are cracking and falling apart because of the pressure that is put upon them by the substantial facts of the modern industrial and commercial world as well as by the expanding force of public opinions, but that the very foundations of the entire structure have given indications that they are too weak to support the

weight that is placed upon them. This being so, it is reasonable to suppose that the making of mere repairs will not permanently prevent a general collapse of the structure with consequent injury to its occupants.

Justice demands that agreements essentially unequal, or which, for any reasons, have become unduly oppressive in their operation, should be abrogated. Wisdom demands that, when conditions have changed, the agreements based upon them should also be modified. That conditions have radically altered since the time when the treaties were signed which deny to China full tariff autonomy and impair the exclusiveness of her territorial jurisdiction, there can be no denial. At the time these treaties were entered into the Chinese Government was not dependent upon duties levied upon imports for an adequate revenue. At that time, also, there were only five treaty ports provided for, there were comparatively few foreigners living in the country, and it was with reference to these conditions, so different from those which now prevail, that the agreements between China and the Treaty Powers were entered into. This is an important fact.

I am asked to define Chinese aspirations.

I may state them in the language of the National Pact of the Turkish Nationalist Party:

> It is a fundamental condition of our life and continued existence that we, like every country, should enjoy complete independence and liberty in the matter of assuring the means of our development, in order that our national and economic development should be rendered possible and that it should be possible to conduct affairs in the form of a more up-to-date regular administration.
>
> For this reason we are opposed to restrictions inimical to our development in political, judicial, financial, and other matters.

Mr. J. R. Clynes, M.P., speaking at a British Labor Party meeting at Southall on February 4th, said:

> If the British Government had used its brains more and its navy and military power less, we might by this time have

had a settlement of the Chinese difficulty. I was very glad to note that the pronouncement of Sir Austen Chamberlain last Saturday included an unqualified admission that all those treaties in the nature of concessions from China to us, or to other nations, are out of date and cannot now be defended.

At the same time, I consider it rather unfortunate that Sir Austen, while admitting the out-of-dateness and unfairness of those treaties, should have spoken about meeting the Chinese halfway. I think that, in fairness and justice, we may have to go more than half-way. In this matter I feel we shall have to choose between an indefensible effort at further conquests in China, or a full concession of Chinese rights based upon a proper conception of equity and justice.

The British Labor Party had come into this matter with a very definite pronouncement. It had declared firmly that this country could no longer resist the demands made by China for complete independence within her own borders.

Sir Austen Chamberlain, the British Foreign Secretary, in his Birmingham speech of January 29th, stated that in his China policy he thought more of the relations of a hundred years to come than of the present inconveniences. This all will agree as the best and wisest course to adopt. However, in order to ensure a settlement that will last a hundred years it must be so fair and so just that both sides will be satisfied and desirous to have it continued for the period of a century. This desired and desirable regime can no doubt be brought about when the Chinese people feel that they have been not only fairly treated but treated and respected as an equal. The Powers should meet the Chinese in such a way as to make the Chinese feel that they have no further ground for complaint. This will logically follow when the Powers unconditionally declare the termination of all existing unequal treaties and undertake the negotiation and conclusion in their place of new treaty or treaties on the basis of absolute equality and reciprocity.

Those of you who are not very familiar with conditions in the Far East will perhaps be surprised when I tell you that of the Westerners in China at the present moment, that is not counting the Japanese, there are more living under the Chinese law than outside the

Chinese law. In other words, the number of foreigners having a specially favorable treaty status now in China is less than that of those who are without such special rights and privileges. This proves conclusively that foreigners can live and trade in China without special treaty status.

You have heard lately a good deal of the sending of warships, marines and troops to China ostensibly for the sole purpose of protection as if there were or had been loss of foreign lives through unwarranted attack by Chinese. Such is not the case. But Chinese blood has been shed and Chinese lives have been lost by the action of foreigners. While the British and certain other governments fear serious danger to the property and life of their nationals, the Germans, the Austrians, the Russians and nationals of other countries continue to live and trade in peace in China. One fails to hear of Berlin, Vienna or Moscow sending naval units or military forces to protect their nationals in China. The controversies between China and the Powers will not be settled by the threat of the use of gunpowder. But I trust and believe that they will be settled by according justice to the nation which invented gunpowder.

My people are not anti-foreign but we are anti-foreign-aggression. There is as much difference between anti-foreign and anti-foreign-aggression as between light and darkness. It is our earnest wish to respect the legitimate interests of foreigners. We have no desire to do injustice to or inflict hardships on anybody, but on the other hand we wish others to treat us with justice and fair play and return to us those sovereign rights that they have taken away from us. What the Chinese have been struggling for is to get rid of a foreign imposed super-state in China. This struggle will continue, as it should, till the goal is reached when China will be truly independent within her own borders.

MANIFESTO TO THE PEOPLE OF AMERICA[3]

Today China is facing the most important crisis in her relationship with Foreign Powers. The press of the United States is full of reports on "anti-Chrisian" and "anti-foreign" movements from China. In the midst of this veiled propaganda, we, the Chinese students in America, sharing the same views with our fellow citizens at home, feel it our duty to issue the following declaration.

For the last eighty years, we have been under the yoke of the imperialism of the West. We have been thrown into the rank of enslaved races. While we are still an apparently free and independent people, we have practically lost all the essential rights that belong to a sovereign nation. We wish to enumerate a few of the most serious grievances:

1. We have suffered territorial mutilations from the Great Powers either through outright concessions or through alienation by leasehold.

2. Our territorial integrity is negatively impaired by the establishment of the "spheres of influence" by the Powers.

3. We have been denied the right of self defence by being forbidden through "unequal treaties" to fortify our own strategic points, by having foreign garrisons stationed in our ports, by foreign administration of communication, and by foreign held naval bases.

4. Our economic freedom is restricted by the low tariff imposed upon us by the Powers.

5. Our economic freedom is further restricted by provisions contained in other financial and economic concessions. As a consequence we have suffered from economic exploitation in its various forms.

[3] By the Chinese Students' Alliance in the United States of America 4p. February 10, 1927.

6. Our judicial autonomy has been denied by the establishment of consular courts. Our law and court can no longer try any foreign nationals in our own territory.

7. Our administrative integrity has been invaded by the forced appointment of administrative experts and foreign advisers by virtue of the diplomatic influence of the Great Powers.

8. Our system of justice has been wrecked, and a great many political refugees and other convicts openly escape punishment by seeking shelter in these foreign concessions where they are immune from justice.

9. Our very existence is no longer safe in our own territory. During the last two years hundreds of non-combatant Chinese have been massacred in cold blood by the British.

In face of these and many other grievances, do we need any agents from Russia to tell us to rise and seek our own salvation? In fact our effort and struggle to break off the yoke of imperialism were initiated before Russia became Red. For the last ten years we have been making demands to redress these grievances. We have requested, remonstrated and supplicated, first, at the Peace Conference at Paris, then at the Washington Conference, and again before the special Commissions on Tariff Revision and Extraterritorial Rights. But our claims were rejected, our aspirations were slighted, and our requests were met half-heartedly. For all these years we have been waiting—waiting to see reason and justice prevail—but in vain. We have lost faith in the Powers and we are now at the end of our patience. We have failed in words; we have failed in hope; the only thing left is for us to act, if we wish to survive at all.

We have no desire to fight against Christianity. Traditions in China emphasize religious tolerance. We have no fault to find with the missionaries as a class. We like them and we believe they have done a great

deal of good. The occasional mob attack on Missionaries in recent days is an ephemeral phenomenon incident to a rage intensified by the presence of foreign gunboats and troops.

We are not anti-foreign. We welcome all foreigners. We like to have them stay with us. We have no objection whatsoever to their business and professional work in our country. But we do resent the arrogant and bumptious imperialists who grow fat by exploitation of Chinese labor, or by virtue of other Treaty rights.

The United States is our traditional friend. She has done incalculable good to China. We appreciate her friendship. We have great faith in your government, the birth place of modern democracy. President Coolidge's and Secretary Kellogg's statements formulating their intention to negotiate a new treaty with China were lauded with enthusiasm. But our gratitude would never ripen unless your Government immediately carries out the intention of the White House and the State Department by sending at once to China a special delegation for the purpose of drafting a new treaty on the basis of absolute equality and reciprocity.

Finally, the panic of flight of the foreigners from China is unnecessary. The lives are sufficiently protected in spite of the news to the contrary. This fact is supported by the foreigners now in the "danger zone." This being the case, we strongly protest against the sending of the American marines to China. We object to it not only because such an action violates the Treaty rights, but also because it will intensify the excitement of the Chinese people. At the peak of intense nationalistic sentiment further enroachment of China's sovereignty as by sending gunboats to inland waters will bring more danger to your nationals, who have not been molested thus far. Therefore for the sake of your fellow citizens in the Far East and for the sake of appeasing the excitement of the Chinese people as well

as for abstract justice, we appeal to your wise judgment to stop sending and landing of your gunboats in Chinese territories.

As our friends we appeal to you. We hope such a great people, righteous and humanitarian in tradition, will assert its influence.

EXTERRITORIALITY IN CHINA[4]

Foreword

The Chinese people ask for, among other things, the restitution of their sovereign right to administer justice on their own soil. In a special resolution adopted at the Washington Conference, the Powers declared that they were sympathetically disposed towards furthering the aspiration of the Chinese people "to the effect that immediately, or as soon as circumstances will permit, existing limitations upon China's political, jurisdictional and administrative freedom of action are to be removed." In the following pages, we shall prove that the principles of international law, the practice of the consular courts and the reforms of the Chinese Judiciary all point to the necessity of the immediate abolition of exterritorial rights.

I. Nature of Exterritoriality

Exterritoriality is sometimes taken as synonymous to consular jurisdiction. The main idea involved in this term is the exemption from the operation of local law, and that the defendant's nationality is in all cases to determine the law to be applied to the case, and the judge to apply it. In general terms exterritoriality denominates "certain immunities from the application of the rule that every person is subject for all acts done within the boundaries of a state to its local laws."

[4] By Shao-Hua Tan, Hua-Cheng Wang and Robert Huang. *Chinese Students' Monthly*. 21: supp. 1-16. September, 1925.

Such a right has been given by China to some foreign powers by express grants embodied in treaties between China and those Powers. By granting exterritorial rights to foreigners, China divested herself of the authority to control them judicially, notwithstanding the fact that they actually live in China, enjoying the privileges of residence, the hospitality, and the protection of the Chinese government. Not only the persons of these foreigners, but also their property which cannot be reached by the process of the Chinese Courts, are governed by their national laws as administered and interpreted by their respective consular officers. Thus under the present system of exterritoriality in China:

(1) All controversies in which no foreigners are involved, are tried in Chinese courts according to Chinese law;

(2) Controversies between two or more nations of the same Treaty Power are tried in the consular courts of that power;

(3) Controversies between nationals of different powers are heard, not by Chinese courts, but by foreign authorities, as determined by agreement between the states concerned;

(4) Controversies between Chinese and foreigners are determined by the tribunals of the defendant and the law of his own country is applied;

(5) In case of lawless actions on the part of foreign residents, Chinese police may make the arrest, but the offenders must be turned over to their respective consuls.

II. History of Exterritoriality in China

Exterritoriality in China is purely of conventional origin and, as such, has been in existence for 82 years. Though Russia, at the end of the 17th century, was the first of the European Powers to enter into treaty relations with China, yet no grant of exterritoriality was

made to an alien Government until the middle of the 19th century. The history of exterritoriality in China dates back to the "General Regulation" of Trade attached to the Chinese-British supplementary Treaty of 1843 signed a year after the Treaty of Nanking, terminating the so-called Opium War which was waged on China by Great Britain to perpetuate the latter's illegitimate trade in China. Article XIII of the "General Regulations," under which the British Trade is to be conducted at the Five Ports of Canton, Amoy, Toochowfoo, Ningpo, and Shanghai reads in part as follows:

> Regarding the punishment of English criminals, the English Government will enact the laws necessary to attain that end, and the consul will be empowered to put them in force; and regarding the punishment of Chinese criminals, these will be tried and punished by their own laws, in the way provided for by the correspondence which took place at Nanking, after concluding peace.

This provision constituted the original basis upon which foreigners in China legally withdrew their submission from the operation of the territorial control of China.

Following the example of the British, the Chinese-American Treaty of Wanghea was signed on July 3, 1844 by Caleb Cushing, first American Minister to China. Article XXI of this treaty reads:

> Subjects of China who may be guilty of any criminal act towards citizens of the United States shall be arrested and punished by the Chinese authorities according to the laws of China, and citizens of the United States who may commit any crime in China shall be subject to be tried and punished only by the Consul or other public functionary of the United States authorized according to the laws of the United States and in order to the prevention of all controversy and dissatisfaction justice shall be equitable and impartially administered on both sides.

Article XXV of the same treaty deals also with Exterritoriality:

> All questions in regard to rights, whether of property or person, arising between citizens of the United States in China

shall be subject to the jurisdiction of and regulated by the authorities of their own Government; and all controversies occurring in China between the citizens of the United States and the subjects of any other Government shall be regulated by the Treaties existing between the United States, and such Government respectively, without interference on the part of China.

The Treaty of Wanghea was the first formal treaty in which exterritoriality was definitely provided for. Since 1844 similar concessions were granted to 18 other states. The Japanese Treaty of 1909, however, provided an exception to the general rule. Article IV provides that Koreans "shall submit to the laws of China and shall be amenable to the jurisdiction of the Chinese local officials," and that "all cases, whether civil or criminal, relating to such Korean subjects shall be heard and decided by the Chinese authorities in accordance with the laws of China, and in a just and equitable manner." The Japanese consular officer, however, "shall have right to apply to the Chinese authorities for a new trial to be conducted by officials specially selected" whenever he finds that "a decision has been given in disregard of the law." Today the countries that have such exterritorial rights in China are: Belgium, Brazil, Denmark, France, Great Britain, Italy, Japan, Mexico, the Netherlands, Norway, Peru, Portugal, Spain, Sweden, and the United States of America. Germany and Austro-Hungary lost their exterritorial right when China declared war against them in 1917. Russia, by the Treaty with China, May 31, 1924 "agrees to relinquish the rights of exterritoriality and consular jurisdiction."

III. Promise of Abolition

At the beginning of the system of exterritoriality, its consequences were not fully apparent to the Chinese authorities, and still less to the Chinese people, for there were only a handful of aliens and they were confined to the treaty ports, then 5 in number. But as the for-

eign population grew in size as rapidly as the treaty ports were increased in number, consular jurisdiction proved in practice irksome and unsatisfactory. As the evils of the system gradually revealed themselves, the Chinese Government began as early as the 'seventies to make efforts for its modification by the Powers and for internal reform, political as well as judicial, undertaken by native jurists trained in Western countries and aided by foreign experts.

Between 1902 and 1908, four of the Treaty Powers solemnly engaged themselves to surrender those rights when the opportune moment arrived. The opportunity came in 1902, when a revision of commercial treaties with foreign powers took place. In that year the first promise of abolition was recorded in a British Convention. Article 12 of the so-called Mackay Treaty of 1902 provides as follows:

> China having expressed a strong desire to reform her judicial system and to bring it into accord with that of Western nations, Great Britain agrees to give every assistance to such reform, and she will also be prepared to relinquish her exterritorial rights when she is satisfied that the state of Chinese laws, the arrangement for their administration and other considerations warrant her in so doing.

Substantially identical provisions were found in the commercial agreements of the United States (Article XV) and Japan (Article 11) in the following year. In 1904 a treaty of commerce with Portugal was concluded containing a provision in identical terms but the instrument has remained unratified. Four years later Sweden declared that she would likewise be prepared so to do, "as soon as other Treaty Powers have agreed to relinquish their exterritorial rights."

The consent on the part of the Powers to relinquish their exterritorial rights in China are admirable, but no time-limit was specified and thus, aside from the question of empty promises, no definite action has been officially taken by the Treaty Powers to help the Chinese

Republic in this direction. At the Paris Peace Conference the Chinese Delegation brought up the question of exterritoriality in China for consideration but it was dismissed without a fair hearing. At the end, the Chinese questions such as the Shantung Question, etc., were arbitrarily decided, with the consent of the Japanese delegates, by the Big Four (in fact three) who assumed the position of a high court of claims without mandate. In November of 1921, however, the Conference of British Chambers of Commerce held at Shanghai and attended by Sir John Jordan, British Minister in Peking, passed the following resolution:

> While the Conference sympathizes with the desire of the Chinese to see exterritoriality abolished, and realizes the benefits that would accrue through throwing the country open to residence and trade, it considers as essential preliminaries to the surrender of exterritorial rights the establishment of stable government, a satisfactory code of laws, and satisfactory arrangements for the administration of such laws, and this Conference suggests that efforts should be made to carry into effect the agreement by Great Britain to assist China in reforming her judicial system in pursuance of Article 12 of the Treaty of 1902.

At the Conference on the Limitation of Armaments at Washington in 1921, one of the questions considered was that Western Powers should give up their exterritorial rights in China. This led to the adoption by the Conference at its ninth meeting on Nov. 29th of a declaration that the Western Nations "are prepared to relinquish exterritorial rights when satisfied that the state of Chinese laws, the arrangement for their administration and other considerations warrant them in doing so." To give effect to this declaration the Conference resolved "to establish a commission . . . to inquire into the present practice of exterritorial jurisdiction in China . . . the laws and judicial systems and the methods of judicial administration in China." In order to appreciate the efforts of the Western Powers and to hasten the abolition of exterritorial rights, the Chinese Parlia-

ment appropriated $200,000 for purposes of investigation, but owing to internal disturbance the Chinese government asked for postponement of investigation. Meanwhile France refused to name a delegate to the commission, owing to the "Gold Franc" dispute with China.

IV. Defects of the Exterritorial System in China

The reasons why the exterritorial system in China as established by the treaties with the foreign powers is intolerable and unnecessary, and therefore, should be immediately abolished lie in:

(A) The defects of the exterritorial system and its unjust effects upon both the Chinese and the foreign nationals in China; and

(B) The competency of the Chinese Judiciary of today to take care of its jurisdiction and all justiciable affairs, which should embrace all foreigners resident therein.

Let us examine first the practice of the consular courts in China and determine whether its alleged advantages compensate for its obvious defects or not.

(1) Indifferent Administration of Justice in the Consular Courts

The first defect of the exterritorial system is the culpable indifference on the part of the foreign consular courts and judges in China in the administration of the laws of their own lands in shielding their own nationals, the defendants, against the Chinese and the other foreign nations, the parties plaintiff in the courts of defendants' nationality. This indifference is, however, inherent in the exterritorial system because the public sentiment usually responsible for the enforcement of laws is absent where the laws applied and the courts applying them are foreign and beyond their control. Moreover, the indifference is largely caused by racial

prejudice where the Court and the defendant are of one nationality or race and the plaintiff is of another.

Many startling cases have been decided by these consular courts, but a few will illustrated how inadequate these consular courts have been in providing remedies for the parties injured when they are Chinese or other foreign nationals.

(a) The case in Canton of 1905 is a well-known one, in which an unoffending Chinese of good standing in the community was maliciously and wantonly seized by a group of American "Bluejackets" and thrown into the river, where he was drowned. All witnesses, Chinese and American, during and after examination testified that the crime had been committed by the American sailors. Both Conger, the American Minister, and Rockhill, the American Consul-general in the City, considered the identity of the culprits as Americans had been established, but no one was ever brought to justice for the offense. Instead of punishing the offenders according to the Federal Laws, the United States Government through its Ministers there compromised justice by only paying $1500.00 as the indemnity for the life illegally taken.

(b) The second case, decided in one of His Majesty's Consular Courts serves well as another illustration of the culpable indifference on the part of the consular courts in China in administering laws and providing remedies to the parties injured. In 1897, the quartermaster of a British steamer had pushed a Chinese laborer from a pontoon, alongside the steamer, into the river, where the Chinese laborer was drowned. Two Chinese witnesses swore positively that they had seen the crime committed and one Englishman also a witness swore that he had seen the Chinese "slip and fall" into the river. It took the British jury composed entirely of Britishers, only five minutes to reach a verdict of "Not Guilty."

The injustice in that case was so openly flaunted that

even the British paper in China expressed surprise, saying, "The philanthropist who cannot allow that the value of a man's evidence in a court of law is affected by his colour, his race, or his education might be inclined to express some surprise at the issue of the trial."

(c) Other cases of the same category may be summarized thus: In *U. S. People vs. Nash* the defendant was found guilty of entering a Chinese tailor shop, attempting to make away with some clothing. The tailor having discovered the attempted theft and started to restrain him, the defendant fired a shot at him (Battery with intent to kill.) Convicted in the United States Consular court, the defendent was only fined five dollars. In *U.S. People vs. McCoy & Taylor* two American sailors broke into a Chinese residence, assaulted the occupants, and when convicted were only fined a small sum of $15.00 each. The most flagrant injustice in the administration of laws in the Consular courts is shown in the decision of the *U.S. People vs. Munz,* in which an American constable of the river police at Shanghai, in compelling the Chinese laborers to move their boat, kicked and struck one of them, causing his death, and the murderer convicted under the American law was sentenced to only eighteen months' imprisonment. B. H. Williams one of the foremost authorities on exterritoriality in China remarked: "It is difficult to conceive of a case more pregnant with possibilities of international hatred than this that a police officer of an alien nationality should so brutally mistreat a Chinese subject, and that there be no recourse but submission to the infliction of a comparatively slight penalty upon the slayer by a foreign tribunal. Of these inequitable decisions from the consular courts W. W. Willoughby, the well-known authority on American Constitutional Law, said, "One cannot shut his eyes to the fact that there is usually a strong bias in favor of his own nationals upon the part of the consul or other foreign official who tries

cases in which the Chinese are plaintiffs. These cases reasonably reflect upon the integrity of the Consuls as judges and warrant an inquiry into the qualifications and duties of a foreign consult in China.

(2) Incompetency of Foreign Consuls as Judges

"Consuls are political officials," says B. H. Williams. They are not distinct, specialized judicial officials. They were trained primarily in foreign service and commercial science, and only incidentally in law or jurisprudence. "The first duty of a consul," says A. M. Latter, a British Barrister-at-law at Shanghai, "is to protect the interests of his sovereign's subjects; it is inconsistent to add to that duty the task of administering justice, when a complaint is brought against the subject; and the duties of protection of a class and the administration of impartial justice between that class and others, cannot but clash." Therefore the consuls, as judges, are "more apt than the ordinary judge to be influenced by a regard for their own nationals."

(3) Foreign Supreme Courts Not Better

Apparently and actually dissatisfied with the consular courts for more serious cases and in order to provide courts of last resort the Governments of the United States and Great Britain have by Acts of Congress and Parliament respectively created Supreme Courts in China for appeals from the Consular Courts. It was at the beginning reasonably believed that adequate remedies and impartial justice would be provided for by these dignified courts, until, however, the case or the decision of 1907, in which an American citizen, Henry Demenil, prosecuted in the United States Supreme Court for China was acquitted of an indictment of murder, and in which the court held there was no intent, ignoring deliberately or innocently the *transfer of intent.* (*See Isham vs. State,* 38 *Ala.* 213.) The American was

travelling in Yunnan along the Tibetan border contrary to the terms of his passport. The Viceroy of Szechuan had sent two bodyguards to escort him for his protection. Angry at the delay of one of the two bodyguards he fired at him. The first shot having missed the bodyguard, he fired another, the bullet having again missed the bodyguard, hit this time a Tibetan priest and killed him. Ignoring the doctrine of transferred intent contained in the Books, the Court either deliberately or ignorantly held that the defendant had no intent and the murderer was acquitted.

(4) Limited Number of Courts

A. The limited number of consular courts to administer justice between all the foreigners in China and the Chinese is another conspicuous defect in the exterritorial system. The United States, having the largest number of consular courts in China, can only announce fifteen. These few consular courts are situated so far apart that it would take days and weeks for a Chinese residing in distant parts of China to reach the consular court of defendant's nationality, and even if he could obtain justice, it would not be worth while, comparing the expense involved in travelling with the amount of recovery, which in no case in a consular court would exceed $500.00 in civil suit. Suppose the plaintiff has a case covering $501.00. He has to go to Hankow, Tientsin, Canton or Shanghai to try his luck, and he may have to wait for one whole year in these cities before the opening of his suit, because the U.S. Supreme Court in China only holds one session a year in each of the four cities and because the plaintiff cannot sue a foreigner in a Chinese court of his own city or province.

In the majority of consular courts an appeal therefrom must be made to the superior tribunals of their home authorities, e.g., in the case of French appeal, to Saigon, in Indo-China, and in that of a German appeal to Berlin. . . . To the Chinese directly interested the sequel of such appeals is unknown, since there are no general extradition treaties between China and

other states, and the belief becomes inevitable that the foreigner concerned escaped unpunished.

(5) Procedinal Objections

The exterritorial courts, whether consular courts or Supreme Courts, are objectionable from the standpoint of procedure and that of producing evidence. From the standpoint of procedure there is a wasteful duplication of courts. The defendant of the court's nationality cannot file a counter-claim to the declaration of the plaintiff in the same suit or court, if the plaintiff is of another nationality. To file such a claim, the defendant has to file a new action in the court of plaintiff's nationality. The defendant's court, likewise, has no power to condemn the plaintiff there for contempt of the court or to punish a foreign witness for perjury. Nor has the court the right to subpoena a foreign witness to testify therein. Moreover, in an action on simple contract, for instance, the joint parties to the contract, liable for its breach, cannot be joined in one suit, if the joint parties to the contract are of different nationalities, because the law of exterritoriality does not permit the plaintiff to sue a defendant in a court other than that of the latter's nationality. Yet if the common law of America and England on non-joinder of joint parties to a contract is applied, non-joinder of joint parties to the contract as defendants in one suit will defeat the case upon demurrer by a defendant to the declaration, because the common law says the declaration is insufficient at law and there is no case. The result is that the plaintiff will get no remedy, just because his contract is with parties of different nationalities and breached by them.

Where the offense is committed by a foreigner in a place remote from the consular court it is almost impossible to obtain satisfactory evidence to sustain the plaintiff's case. Hon. Reed, the United States Minister to China, said, "the foreigner who commits rape or murder a thousand miles from the seaboard is to be gently

restrained (according to the treaty stipulations) and remitted to a consul for trial necessarily at a remote point, where testimony could hardly be obtained and ruled on."

(6) Exterritorial Privileges Interfere with Local Administration of Justice

The foreigners do not content themselves with merely enjoying exterritorial privileges themselves, but also interfere with the local administration of justice by extending the cloak of their exterritorial privileges to the Chinese criminals who happen to be either their servants or religious converts. As a result of their interference, class hatred and prejudice are engendered in the interior communities.

(7) Disadvantages to Foreigners

The disadvantages to the foreigners themselves are also by no means small, because as long as the exterritorial privileges exist, China must be closed to foreign residence except in designated treaty ports, because of their immunity from Chinese law and the improbability that the home-governments will be able to supply a sufficient number of consuls or other officials for adequate judicial purposes.

So far we have shown that the defects inherent in the exterritorial system are so intolerable that its immediate abolition is imperative. Next we wish to demonstrate that in case of withdrawal of the exterritorial courts from China now the Chinese Judiciary can take good care of its jurisdiction and all the justiciable affairs therein.

V. Competency of the Chinese Judiciary

The competency of the Chinese judiciary to take care of its own jurisdiction and all the justiciable affairs therein is assured us by the fact that:

(1) Independence of the Judiciary

China has an independent judiciary. Its unchallengeable spirit of independence is clearly demonstrated in two legal battles of far-reaching effects, from which the Chinese Supreme Court came out victoriously:

(a) The battle for independence with the Executive: In 1915, when the late Yuan Shi Kai literally had law in his mouth and fortune in his hand, he ordered the Ministry of Justice to instruct the Prosecutor-General to institute prosecution in the Supreme Court against the then civil governor of a certain province for misappropriation of public funds. At the preliminary examination held by a judge of the Supreme Court, it was found that there was no evidence to support the charge, and the case was accordingly dismissed. President Yuan who expected a conviction was much offended, and vented his wrath upon the defiant judge. But the judge remained unmoved and the Supreme Court had its way over the powerful executive.

(b) The battle for independence with the Legislative: In 1916 it was contended by the majority of the members of the Parliament that no appeal in election cases should be laid before the Supreme Court because the law was silent on the point relating to election; but the Supreme Court replied that, according to its interpretation of the law, appeal cases should be allowed and it accordingly took up the appeals then pending for trial. The bold attitude it maintained led the Parliament to pass resolutions denouncing its decisions and declaring them null and void. Despite the government being then on the side of the Parliament, the Supreme Court was firm in its attitude, pointing out that since it had power to interpret the law, its decision was final, and though the Parliament could make law, its resolutions had not the force of laws. Reason in the end prevailed, and the Parliament gave in. Having established its independence,

the Supreme Court has acquired a rank equal to that of any Ministry.

The Supreme Court of China not only has its own independence established but is also guiding the courts below in the interpretation of statutes, customs and the legal principles of the civilized countries of the world and consistently injecting into the courts below the scientific spirit of law.

(2) Unchallengeable Personnel of the Supreme Court

The personnel of the Supreme Court of China is not only above reproach but also of a highly educated and professional type. Men who acquired a special training are employed and given positions of responsibility. All of the judges of the Supreme Court, about 30 in number, are graduates of either university or special law schools.

(3) Reforms in the Chinese Legal Code

(A) Nature of the Existing Chinese Law.

"An examination of her new legal codes will convince anyone that China possesses laws quite as scientific and humane as any in the West." Roughly speaking, the existing system of Chinese law shows a distinct tendency toward the Continental legal system; so far it has followed the Japanese and the German systems more than any other. One or two conscious attempts were made to follow the Anglo-American principles such as the Criminal Laws of 1904 and the Draft Code of 1906 The former was repealed in 1914 by two statutes: the General Law regarding Merchants and the Law of Business Associations; and the latter was not even adopted. The spirit of Anglo-American law, however, is not entirely absent. Unwritten law is being developed and judicial precedents are given due consideration. Moreover many Chinese jurists were trained in the Anglo-

American system of law and are competent to apply common law principles.

(B) Nature of the "Laws and Statutes of the Great Tsing Dynasty."

When foreigners say that the Chinese law is imperfect, they really mean that the laws of the Manchu regime was imperfect. The laws of the Manchu regime are generally known as the *Ta Tsing Lae Lu* meaning the "Laws and Statutes of the Great Tsing Dynasty." The Tsing Code was founded on the codes of Emperor Yung Lo (A.D. 1403-25) and had remained in force from A.D. 1647 to 1911, modified by imperial edicts applying the law to particular cases. It was in a way the *corpus juris* of the Manchu Dynasty, though largely penal in character. It prescribed the conduct of officers, regulated revenues, dealt with family relations, punished offenses and provided for civil rights and remedies.

Ever since the end of the 19th century the Chinese government has been endeavoring to seek a satisfactory code of laws. A number of changes were made in the criminal law lessening the severity with which criminals had up to that time been treated; deportation was abolished; torture prohibited; the use of canque forbidden and corporal punishment made commutable by fine. These changes, however, did not mean that the old code was unworthy of its name. In spite of its many defects and the Draconian character of some of its provisions it has been considered to be one of the best codes of the time. Sir George Staunton who translated it into English appraised it in his Preface as follows:

> By far the most remarkable thing in this code is its great reasonableness, clearness and consistency, the business-like brevity and directness of the various provisions, and the plainness and moderation in which they are expressed. There is nothing here of the monstrous verbiage of most other Asiatic productions, none of the superstitious deliberation, the miserable incoherence . . . but a calm, concise and distinct series of enactments, savoring throughout of practical judgment and European good sense, and, if not always conformable to our

improved notions of expediency, in general approaching to them more nearly than the codes of most other nations.

The real objection of the Westerners to the Tsing Code was that it was too severe in criminal cases. Upon closer scrutiny, it was not so severe as generally supposed. Thus Professor E. T. Williams writes:

. . . . in the beginning of Western intercourse with China, Chinese codes were less severe than those of Europe. Many complaints were due to our ignorance of the Chinese language and the Chinese law.

(C) Law Codification in China.

Now, however reasonable the Tsing Code might have been, time has rendered it obsolete. In order to fulfill the condition of the Mackay Treaty of 1902 and in pursuance of the reform policy of the Chinese Government, Prince Tsai Chen, Yuan Shih-Kai, Shen Jar Pun, Vice Minister of State and an eminent authority in Chinese jurisprudence, and Dr. Wu Ting-Fang, a well known lawyer-diplomat were appointed Imperial Commissioners to compile a commercial code and revise the law so as to bring it into accord with Western jurisprudence. To assist the commissioners, Mr. Allen, an eminent American lawyer, was engaged as adviser. Japanese experts were also associated with the commission.

In 1904 the commission submitted a draft commercial code containing 9 articles of general law regarding merchants and 131 articles of corporation law, based mainly on English corporation law. In 1905 all cruel forms of punishment and torture as a means of obtaining evidence were formally abolished, and, in 1906, what may be called the Slave Act of China, forbidding in general terms the sale of persons, was promulgated, and in the revised code sanctioned by the Enfant Emperor over 2000 provisions contained in the old code were abolished. In the same year a Bureau for the Revision of Law was established. It prepared a number of important laws

such as Bankruptcy law, the Mining Law, the Police Offenses Law, the Press Law, the Law of Associations, the Nationality Law and the Transportation Law. The Bureau also translated a large body of Western laws, which were afterwards published in more than 30 odd volumes. These formed the basis of those codes which were subsequently drafted by the Bureau. The year of 1906 also saw the appearance of a draft code of criminal and civil procedure consisting of 260 Articles. It, however, failed to get the approval of the Emperor, owing to the fact that a new draft was in the meantime prepared.

In 1907 a real piece of legislation appeared which will be more extensively dealt with in the next section of this paper. In 1910 the Draft Criminal Code, and the Draft Code of Criminal Procedure and in 1911 the Draft Civil Code were completed. In 1911 the Chinese Republic was instituted. The provisional constitution provided that "no citizen may be arrested, imprisoned, tried or punished, except in accordance with law," hence the Government decreed, three weeks later, that the Draft Criminal Code should thenceforth apply to every criminal case.

In 1912 a new Law Codification Commission was formed to revise the Criminal Code. Later the Commission was reorganized and Dr. Wang Chung-Hui, formerly Minister of Justice, Prime Minister and now Deputy Judge of the International Court of Justice, was appointed its chairman in 1916. Subsequently the Commission's staff was enlarged and many jurists of international reputation such as M. George Padoux, the distinguished French jurist who assisted Siam, Mr. Tung Kang, Chief Justice of the Supreme Court, Mr. Lo Wen-Kan, formerly Prosecutor-General of the Republic were associated in the work. In 1914 the first revised draft of the Provisional Criminal Code was approved, and, as the modifications made were not sufficiently extensive,

a second revision was undertaken, which was completed and translated into English and French in February 1920. Thus the Criminal Code was promulgated under the title "Criminal Code of the Chinese Republic." In the preparation of the said Code this Commission has been obliged to reconcile the practical necessities of Chinese life with the principles of modern scientific criminology. "The Commission is particularly indebted to the Hungarian Criminal Code of May 28th, 1878, the Dutch Criminal Code of March 3rd, 1881, the Italian Criminal Code of June 30th, 1889, the Austrian Draft Criminal Code of 1893, the Soudan Criminal Code of 1899, the Swiss Draft Criminal Code of 1903, the Egyptian Criminal Code of February 14th, 1904, and the Japanese Criminal Code of 1907, which served as a basis for the wording of the original text. Reference has also been had to the Preliminary Revised Draft of the German Criminal Code of 1909, and to the resolution of the German Commission of 1914 on crimial law reform and to the counterdraft code prepared by a number of German criminologists in 1911."

These revisions, however, do not usher in any radical changes in the existing code; the achievements of the new draft chiefly lie in the introduction of more logical and scientific arrangements of the provisions and in the improvement of phraseology. In fact the existing criminal code has been in force for over a decade, and has worked satisfactorily.

It has been mentioned elsewhere that a Draft Code of Criminal Procedure and a Draft Code of Civil Procedure were completed in 1910; it remains to be added here that they were promulgated in 1921 under the names of "Regulations relating to Civil Procedure" and "Regulations relating to Criminal Procedure" respectively. They are called Regulations because they have not as yet been sanctioned by Parliament, but enforced merely by presidential mandates.

The existing draft of the Civil Code which is to be modified and improved in the near future, follows largely the Japanese and the German Civil Codes. It has not been promulgated, but many of its provisions have been adopted by the Courts under the name of principles of reason and equity or legal principles.

The amount of care bestowed upon the efforts at law codification being as above explained, the resultant codes, which have been put into operation have been proven to be workable and satisfactory. The Commission on the Codification of Law has continued to exist since 1902, with the probable exception of a very brief period in 1907. The present commission is composed of a president, two vice-presidents, two senior members, six junior members and a number of assistants, investigators and advisers, foreign and Chinese.

(D) Organization of the Judiciary.

In 1907 a real piece of positive legislation appeared. It was the passing of the Law of the Organization of the Judicialty, which for the sake of brevity, may hereafter be called the Judicature Act of China. This Act, divided into fifteen chapters, consisting of 139 Articles in all, was the first attempt at putting the Courts on a systematic basis, by dividing them into four classes, viz., the Local Court, the District Court, the High Court, and the Supreme Court, with a judiciary of corresponding rank attached to each of them. The Local Court was abolished in 1914. Since then the District Court became the Court of first instance, the High Court, the Court of first appeal, and the Supreme Court the Court of ultimate appeal. In a Court of first instance trial takes place generally before one judge, in a Court of first appeal before three judges, and in the Court of final appeal five judges. The Local Court is now revived by the Codes of Procedure. By Article 16 of the Code of Criminal Procedure a number of offenses such as those punishable with not more than one year's imprisonment or only with fine, those relating to opium, petty theft, public safety, false weight, gambling, and other petty offenses are brought under the jurisdiction of the Local Court, and Articles 1 and 2 of the Code of Civil Procedure give the Local Court jurisdiction over cases such as those wherein the amount disputed or the value of the thing disputed does not exceed $800, those relating to possession, those concerning certain disputes between landlords and tenants, masters and servants, or customers and restaurant proprietors, and those relating to boundaries.

Judicial reorganization requires not only the systematization of courts, but the establishment of enough courts of first instances and a large number of competent magistrates. There were in 1921, 44 high courts and procuratorates; 38 branch high courts and procuratorates, and 102 district courts and procuratorates, with the supreme court and the procuratorate-general at the head of all.

(E) Prison Reform.

Prison reform, too, has not been neglected. Inspired by the movement started by John Howard, the Chinese Government in 1906 established a special prison department within the Ministry of Justice. In 1908 the first model prison was constructed in Peking; there were in 1919 41 such model prisons in the principal cities. Owing to the lack of sufficient funds it has been found more practical to improve the existing prisons along with the erection of new ones.

(4) Reforms Carried Out in Decisions

That the reforms in the Judiciary of China are not merely on paper but really in practice may be shown by the decisions of the Supreme Court, which reviews appeals and gives final judgment thereon from the courts below. These decisions compiled and translated into English by one of the most eminent Chinese western-trained jurists, Judge F. T. Cheng, have reached the hands of one of the leading legal scholars of the United States, who thus reviewed, "As one reads the decisions rendered by the Supreme Court of China during the brief period of seven years, one marvels that such a change from the old regime should have been possible. With one bound, as it were, China has cut loose from the past and placed herself judicially on a footing of equality with the most civilized countries of our day. Those who had some familiarity with the provisions of

the draft of the Chinese Civil Code knew the lofty spirit in which that great work of the Chinese Judiciary undertook to give practical effect to a foreign system of law. The decisions of the Supreme Court just published go a long way, however, in reassuring us in that regard."

FORWARD OR BACKWARD IN CHINA[5]

I would like to lay before you certain considerations with regard to American policy in China, and suggest why it seems to me that the American Government at the present time very properly can take one specific step which will give clear evidence of the adoption by the American people of an essentially new psychological attitude towards China—a new attitude which is called for in the present time.

We are interested in China, all of us. But we realize that the problem of American relations with China is extremely complex. We realize that there are great difficulties in the way of any specific action at the present time. One of those difficulties, obviously is the fact that for some time there has been in China no stable government.

This fact raises the question as to how it is possible to negotiate treaties, even if we wanted to negotiate them, when there is nobody with whom to negotiate. That, as I say, is one of the real difficulties. Yet it is not insurmountable. The British have found a way around that difficulty. So have the Belgians and the Japanese. We can.

If I were to sum up very briefly the present situation in China as far as foreigners are concerned, I might put it this way: The Chinese have been developing a strong demand for freeing China from the limitations on

[5] From address of Grover Clark, editor, The Peking Leader; member of the American Chamber of Commerce in Peking; Professor of English, National University of Peking. Pamphlet no. 43. p. 12-19. Foreign Policy Association. New York. 1927.

China's national freedom which were originated in treaties made some eighty years ago. The foreigners have recognized that those original treaties needed to be changed. They gave evidence of that recognition, as the Chairman has pointed out, as early as 1902 and 1903 when Britain, Japan and the United States made certain treaties with China. They gave further evidence that they recognized the need for a change in various subsequent statements and acts, culminating in the Washington Conference of 1921-22.

The British in their memorandum on China of December 18, 1926, put the situation and what has been the foreign attitude in these words:

> In the present state of confusion, though some progress has been made by means of local negotiation and agreements with regional governments, it has not been possible for the Powers to proceed with the larger program of treaty revision which was foreshadowed at Washington or to arrive at a settlement of any of the outstanding questions relative to the position of foreigners in China.

That has been the attitude of most of the Powers. Yet this difficulty of the absence of a stable government in China which controls the whole country is not the only difficulty.

Back in 1898 the American Government, in initiating the Open Door policy, laid effective emphasis on unity of international action in dealing with China. The United States insisted on international unity as a means of protecting China from being partitioned by the Powers. Conditions in China have changed, however. There is today no longer any danger that China will be partitioned. But international unity, until very recently, has continued to be held up as one of the desirable factors in international relations with China. In some cases, the maintenance of international unity in recent years has brought desirable results. In others, however, international unity instead of being a means of helping China and of helping to get things straightened out in our re-

lations with China, has been a check on those who wanted to do things fairly and with broad-minded constructiveness.

It was international unity and the desire to maintain that unity at the Washington Conference, for instance, which helped considerably in getting various of the Powers to agree to the treaties which were adopted. On the other hand, it was international unity and the desire to maintain it which permitted France, by refusing to ratify the treaties for three years, to hold up the carrying out of the pledges made at the Washington Conference.

That delay created in the minds of many Chinese the conviction that foreigners' good faith in dealing with China could not be depended upon. The Chinese were particularly incensed against the United States in that connection because the United States had taken the initiative in getting the Washington Conference pledges made and did not go on with that initiative in seeing to it that those pledges were carried out.

As another illustration it is worth noting that consideration for international unity, rather than for what seemed to many the essential fairness of the situation, was a large factor in the failure of the Customs Conference held in Peking last year.

These are two of the great difficulties in dealing with China at the present time: this absence of a stable government and this older insistence that the Powers should act as a unit in dealing with China. There are other difficulties.

On one side, for instance, in China there is a large and complex structure of business and other interests built up on the foundation of the treaties adopted some years ago. On the other side, there is the Chinese demand for the abolition of all the special privileges of the foreigners. Obviously, it is not fair to those who have invested their money in China, who have spent

their lives building up interests there on certain legal principles and certain legal foundations, to wipe out all those foundations without previously substituting other legal foundations for these interests.

I might call your attention to the fact that the question here is not one primarily of dollars and cents. It is one of principle.

Foreign financial interests in China today really are relatively very small. The number of foreign residents in China also is small. There are less Americans in the whole of China today there there are Dutch in the city of Chicago, for example. There are less foreigners of all nationalities, including the Japanese, in China than there are Italians in the city of New York.

The question in not of the number of people over there; it also is not one of the amount of the investment.

Even after a century of dealings with China, for example, Americans now have a total investment in that country of less than one-sixth of the investments made by Americans in other foreign countries in the single year of 1926. The total investment of all kinds, including foreign loans to the Chinese Government, amounts to less than the outstanding French debt to the United States. American trade is not a vitally important consideration. In 1926 the total of imports and exports of American goods to China, purchases and sales taken together, that is, was only about one-fourth of the sales alone of the General Motors Corporation. The value of imports of foreign goods into China in 1926 was larger than in any previous year, and yet in 1926 all the sales to China by all foreigners of all nationalities amounted to less than the sales made by Henry Ford alone. The question is not one of money; it is one of principle.

How can we readjust the legal bases for the interests which have been built up there, in the main in good faith? How can we meet what the foreign governments

themselves call the "legitimate aspirations" of the Chinese people, and also be fair to the people who have in good faith built up their interests on the old legal basis? This is the real question, and obviously we need to negotiate with China to answer it. Yet here we come back to the original difficulty: How can we negotiate, if there is no government with which to negotiate, and if the foreign powers think they all should act together in dealing with China? There is here a vicious circle. Yet that vicious circle can be broken; it has been broken.

If we are going to understand how it can be, we need to take into account this situation in China of which Dr. Hu has been speaking: This development of a strong and a united public demand throughout the whole country for the ending of the special foreign privileges and for China's getting the essential rights of a free nation.

Public opinion in China is really the dominant factor in the development of the affairs of that country. Formal governmental organization never has been and is not today anything like as significant a feature in China as it is in western countries.

It was public opinion, for instance, and not military force, which drove Yuan Shih-kai from the throne when he tried to make himself emperor. It was public opinion and not military force again which drove the Anfus from power in 1919 when the people thought they were trying to sell China to the Japanese. It is public opinion today in a very real sense and not essentially military force or military organization which has given to the numerically small Nationalist forces control over half of China in half a year.

That public opinion in China today is more united, more nationwide, more strongly felt than any public opinion has been for many generations. I thoroughly agree with Dr. Hu's statement on that point and I would

even make it stronger perhaps than he did. It is to that public opinion in China, that deep-felt desire of the Chinese people for national freedom, for national independence, that we can appeal in getting out of this vicious circle and solving these difficulties which we have in dealing with China.

This nationalist feeling has had many unfortunate expressions. There have been riots; there has been violence. There probably will be more disturbances—the same kind of disturbances as the western nations themselves knew when they were going through the same kind of national readjustment. What is happening in China is not new in the world's history. The West has been through the same process.

This newly awakened strong national unity underlying all these superficial disturbances, however, is really the dominant factor in the Chinese situation today. We must understand that. It is hard for us in the West to understand how there can be a united public opinion without any government to express it. Yet it is true today as it has been in the past that the man who speaks for the people of China, the man who puts into action the public opinion of that country, has effective authority. It does not matter whether he is the head of this or that or the other government. If he does and says what the people want, he has authority in that particular matter even though the people may refuse to grant the same man any authority when he tries to do something which the people do not want.

It is hard to understand how this can be true, but let me assure you it is. It is because it is true that we can deal directly with the representatives of the Chinese people, and these representives will have effective authority to carry out any agreement which is essentially fair and essentially just. We can get around these difficulties in China.

For instance, last fall, according to our Western

ideas, there was no effective government in China. Yet last fall the Foreign Minister in Peking, who was really on that occasion speaking for the people of China, succeeded in bringing about the termination of the old Belgian treaty. The Belgians for six months had been insisting that the treaty could not be terminated because, on a legal technicality, they said China had no right even to ask for the revision of the treaty. Yet the treaty was terminated, and the Belgians themselves recognized the new situation. On January 17, 1927, they started negotiations for a new treaty. They said that this new treaty was to be negotiated on the basis of mutual equality and respect for territorial sovereignty. The first thing they did at the first meeting of the negotiators was to announce that they voluntarily surrendered the Belgian concession in Tientsin. There was no government, but the Belgians started to negotiate a treaty with China.

The question of a new treaty with Japan came up last fall and the Japanese recognized the situation and started negotiations. Those negotiations now are in process.

Last fall the British decided that the government at Canton was enough of a representative government of the people to make a separate agreement with them.

Then the British went one step further. By the middle of December they still were considerably worried over the question of international unity, but on December 18, in their historic memorandum, they called for a new declaration of policy by the Powers. They said, "The declaration should show that it is the policy of the Powers to maintain harmonious relations with China without waiting for or insisting on the prior establishment of a strong central government." The British dropped the idea that a stable government in China must be insisted upon. "The Powers," said the British, further, "should modify their traditional attitude or rigid insistence on the strict letter of treaty rights. They

should endeavor to shape developments so far as possible in conformity with the realities of the situation."

The British in that memorandum asked for unity of action by the Powers. They did not get it. So they stopped asking for it and proceeded, on January 27, to open negotiations with both the Canton and the Peking Governments quite independently of any other Powers. Those negotiations proceeded at Hankow with the Nationalists, with some hitches, until on February 19 the British and the Nationalists signed an agreement relative to the British concessions at Hankow and Kiukiang.

In other words, "in conformity with the realities of the situation," as the British put it, the Belgians, and the Japanese have succeeded in starting negotiations with authorities in China, and the British have signed an agreement settling certain of the essential difficulties in their relations with that country.

What has the American Government been doing? A good deal has been done by way of preliminary steps. On January 4, the Porter Resolution was introduced in the House of Representatives calling on the President to start negotiations with China on a new set of treaties. That resolution was passed by the House just a week or so ago by a vote of two hundred and fifty-nine to forty-four.

The State Department also has been acting. On January 26, Secretary of State Kellogg issued a statement of America's China policy. After reviewing the history of recent Sino-American relations, he declared that "the Government of the United States was ready then and is ready now to continue the negotiations on the entire subject of the tariff and extraterritoriality or to take up negotiations on behalf of the United States alone." Unity of international action was dropped. But the absence of a stable government still seemed a real difficulty. The sentence immediately following that just quoted says: "The only question is with whom to nego-

tiate. If China can agree upon the appointment of delegates representing the authorities or the people of the country, we are prepared to negotiate such a treaty."

This statement by the Secretary of State is a long step in the right direction. But Britain, Japan and Belgium, as I have pointed out, seem to have found a way at least partially around this difficulty of the absence of a stable government. Can the United States find a way around it? Can we do something more which will put into concrete and specific form this very real desire of the American people for sincere, friendly and equal relations with China? We cannot, if we go on basing our attitude on the older assumption which has been at the root of practically all foreign dealings with China. We can, if we are ready to take a new attitude towards China and China's rights in harmony with the swelling tide of a feeling for the rights of nations which is moving in these stirring days.

Hitherto, the basic assumption behind the attitude of foreigners in their dealings with China has been that the foreigners had the right to determine on what conditions foreigners were to do business and live in China. The western nations dropped that idea with regard to themselves a long while ago. They recognized that one of the inherent rights of nationality is the right of each nation for itself to determine what relations with foreigners shall be carried on and on what conditions foreigners may live in the country or trade at the ports, subject only to the general principles of international law. The westerners have based their relations with each other on that assumption for some decades.

The westerners as it happened carried the idea of national freedom and national independence to China. They taught it to the Chinese. Now the Chinese are demanding that same right for themselves. That is what is happening over there, and that is all that is happening. After all, it is a very simple proposition.

The question now is: Is the United States in its future dealings with China going to recognize that China has the same inherent rights of nationality which it demands for itself? Is this country going to recognize that it is for the Chinese to decide on what basis and subject to what conditions foreigners will live and do business in China? Certainly Americans would be the last to admit that any other foreign power or group of powers had any right to tell us what foreigners could do in this country. The time has come when we must grant to China the same privileges, the same opportunities which we ask for ourselves.

Essentially, as I suggested in the beginning, the problem is one of taking a new psychological attitude, an attitude which assumes equality with the Chinese, not superiority, not inferiority. No surrender of our national dignity is involved nor even a new statement of policy.

All that is needed is for the Secretary of State to put into a note addressed to the Chinese Minister in Washington, with whom he has dealings officially as the representative of China (who does really represent China because he is in regular communication with both the factors in that country), precisely what he has said in his statement to the American people. He need only say that the United States is ready to negotiate new treaties with China, and add a specific request that the Chinese appoint delegates to start those negotiations.

If we do that, we will be saying to the Chinese that in their own good time, when they are ready, we want them to send delegates over here to sit down with our delegates to work out in terms of mutual respect, mutual equality and mutual fair dealing a solution of this problem of removing the causes of misunderstanding between China and the United States, and of putting our future relations on a basis of real cooperation in the building up of a great new civilization.

The problem, as I have said, at the present time is essentially psychological. We must realize that we have today an opportunity, which is passing rapidly, to make a great constructive gesture of statesmanship which will raise the whole level not only of American but of all international relations with China—raise it to the new plane of friendship and cooperation of equals in the job of getting this world of ours straightened out, and getting the peoples of this world working together in friendly cooperation.

NATIONALISTIC PROBLEM[6]

The solution of this nationalistic problem is an urgent one. It is urgent for our trade, which boycott and ill-will are destroying, and for our missionaries, who are being denounced as agents of imperialism. It is urgent for China, that the energies so feverishly expended in bitterness and anti-foreign agitation may be liberated for constructive work within the nation. It is urgent for humanity, for forces are growing which are setting East against West and leading toward the unthinkable horrors of race-war. Today, many voices in China are saying that the West only understands force (how ludicrous, were it not tragic, that voices here are saying the same of the Chinese!)—and calling upon China to prepare to meet the West on its own terms. The scholar class in China inherits an age-long pacific tradition. But today students are leaving the colleges and flocking in hundreds to military academies; and leading educators are advocating compulsory military training in schools. Whither is this leading?

The situation calls for insight and wise courage from our statesmen. Despite the excesses of Nationalism and the misunderstandings on both sides, dare we not believe

[6] From "New Revolution in China," by Dr. Clifford M. Stubbs, formerly vice-president of the West China Union University (Missionary).

that magnanimity and trust are the most effective way to a solution? In declaring the treaties out-of-date, and in offering large concessions to the Chinese demands, our Foreign Secretary has already gone far. Can we go further? In the spirit of the Golden Rule must we not recognize that in their place we should feel as the Chinese do, that they must be treated as equals, that the day of tutelage is past? The writer believes that an unconditional acknowledgment of the full sovereignty of the Chinese in their own country, and the express determination (while negotiating the necessary adjustments to the new conditions) not to resort to force under any circumstances to uphold the old order—such a policy, courageously pursued, would re-establish on a firm basis Sino-British friendship; and in any case would be morally right and involve far less ultimate danger and loss than a so-called defence of British rights and prestige.

GREAT BRITAIN AND CHINA[7]

Whatever may be the immediate outcome, it may be taken as certain that we shall be defeated in the end, with the loss of the whole of our political and commercial advantages to China. From the standpoint of the British interests, opposition to Chinese nationalism is madness. It has already ruined Hongkong and seriously damaged our China trade elsewhere. And the more we persist, the more we shall lose.

If we were fighting for a great cause, the prospect of loss might be faced with heroism. But the exact opposite is the case: we are fighting against everything progressive, upright, and intelligent in China, in favor of everything ignorant, reactionary and corrupt. We are fighting to keep civilization under in a great nation, in order that it may be the easier to exploit. We are fight-

[7] From article by Bertrand Russell. *New Orient.* 3: 36. January, 1927.

ing for the right to shoot down unarmed students when they protest against the killing of Chinese workers by Japanese capitalists in labor disputes. We are fighting to prolong anarchy and civil war among self-seeking militarists dependent upon foreign support. We are fighting to preserve everything that is bad and to prevent the growth of everything that is good. This, alas! is our position throughout Asia. This is the sacred cause which we pursue with a pig-headed obstinacy that must, before long, bring ruin and national disaster upon us. Both as a patriot and as an internationalist, I view the situation with little short of despair.

DISCUSSION AGAINST CHINA

CHINESE ENIGMA[1]

The need of finding a way out of the present clash of Chinese sentiment and the policies now in force presents a serious challenge to Western statesmanship. For if China's sovereignty is damaged by the present treaties, it is no less true that a sudden change will imperil many foreign interests which in all good faith have been built on the treaties. Any solution of the problem that is made will entail danger; either it will not go far enough to meet China's wishes and will therefore add to the present strain—perhaps even to the extent of making China turn Red—or by going too far, it will, to put it figuratively, discharge the patient from the care of the doctors before he is cured. This sobering thought has led to much discussion, not alone in political circles, but in whatever enterprises Chinese and foreigners are thrown together—business, missionary endeavors, educational and medical work, social service. On the one hand, the question arises whether Westerners are not too prominent in all these relations; do they strike attitudes of superiority to the Chinese, and so create antagonisms which jeopardize the economic, intellectual, or social peace and good will between themselves and the Chinese? On the other side, there is the question whether, if they subside, these enterprises, many of which imply great changes in Chinese methods, will be carried on at all, or if so, whether they will be adversely affected by Chinese lack of experience. These are matters that are being

[1] From article by W. J. Hail, Professor of History of Yale-in-China, Changsha. *Yale Review.* 16: 72-87. October, 1926.

discussed wherever foreigners meet in China, or wherever they come together with Chinese; and it goes without saying that they are hotly discussed among the Chinese themselves.

History is being re-read and summoned into court by both Westerners and Orientals, to bolster up a thesis: the one view is that it is China's stubborn pride which has alone brought the country to the dust; the other, that outside aggression alone, or chiefly, has caused the trouble. The true historical judgment is that, without doubt, both sides have endured and offered wrongs, but that the Chinese have suffered while outside nations have profited by the conditions which arose. Unfortunately, propagandists in each group have distorted the indelible facts of history by misinterpretations which throw all the blame on their opponents, and by attributing to conscientious actors in the unfolding drama evil motives where actually these were good. But the way out of this situation will not be through emotion encountering emotion, because in the process more heat and friction would be engendered and more explosions would follow. Nor will sentimentality solve the problem, because matters cannot be smoothed over by side-stepping unpleasant but solid facts. No solution will suffice that is not based on a realistic view of what is right.

Assuming that China is justified in its contentions and that the foreign treaties will be altered to its entire satisfaction, will the nation forthwith start on the upward road of sound progress—can it be expected to do so in fact? If the treaties were the cause of the present backwardness, of course it should go forward when they are rewritten. But are the treaties the cause or the result of inequalities between China and the West? If the latter is the case, their alteration will only serve to allay the irritation caused by their one-sidedness. The only certain cure would be to do away with these inequalities;

and this could come about only by a transformation from within.

Without attempting to estimate the value of China's civilization to the world, we must recall the fact that for centuries this civilization was static. In the West, however, during the centuries lying between the Renaissance and the Great War, European peoples not only regained the level of the ancient culture, but forged far ahead in a series of revolutions, intellectual, religious, political, industrial, and social, which carried the human race far beyond anything hitherto achieved. Whether this progress has been too rapid for the moral forces to keep up with, and whether, therefore, inevitable destruction awaits it as it crashes on, is a consideration to be left to the prophets. But just now, when the two cultures of East and West meet, there is a painful contrast in some of the things which we deem to be essential. Nor are these contrasts merely on the material side. In the practical application of ideals, the political and social structures in the West show more signs of progress; those of China are cruder. And Chinese sanctions are falling to pieces wherever they are brought into contact with sanctions from outside; thus it appears that there is a serious maladjustment between them and modern needs. Failure to understand that this disintegration is due to the power of the foreign culture, and not simply to the wickedness of the foreign "oppression," has led the Oriental to desire to get rid of the latter while permitting the former to remain and supplant the older arrangements.

When one considers the difference of environment and background between Chinese and outsiders, one realizes that there is not so great a gap between the two as between our own present and the "dark ages" in Europe. It is a question rather of the difference that lies between the culture of today and that of the Byzantine Empire, or that of Baghdad in the days of Haroun

al Raschid. As everyone knows, China has a glorious heritage out of the past and has attained many solutions which still baffle other parts of the world. Perhaps no other group of people scattered over so great a space have worked out the problem of living together as the Chinese have. There is in them a toughness of race cohesion that has carried them through more centuries than any other group. Again, perhaps no other population lives so well on such limited resources and under such chaotic governments.

Yet these admirable people are now being oppressed with a form of bad government which in the long run will have to be reformed, or it will bring them to ruin. In most of the advanced states of the West, it is a well-understood ideal that "public office is a public trust," and that there must be a large amount of personal liberty under laws that are fair equally to the poor and rich, the high and low. Our aim is to preserve the inviolability of the law and the independence of judges. In China, corruption is so common that only an incurable optimist hopes that it can be driven out. Until the revolution, office was bought and sold openly, and despite the hopes of the reformers, the situation in this respect has been even worse since. The story of the military struggles since 1911 has been one of corruption, illegal taxes and levies, treachery between generals, banditry and a general lack of law throughout the provinces. Many families, formerly well-to-do, have been brought to beggary by the lawlessness of bandits or wandering soldiers; or else they have removed themselves and their belongings to the foreign settlements.

Last winter it was the work of many weeks in the city of Changsha to unite two committees for famine relief. The international committee, in spite of the dire need, hesitated to co-operate with the native organization until proper arrangements were made for auditing the accounts; all because something over a year before

they had entrusted two hundred thousand dollars to Chinese political agencies for flood relief, and the entire sum disappeared—who knows where? Such unfortunate occurrences are at present normal, not unusual. To be sure, all this miscarriage is contrary to the teaching of the sages of China and is opposed by the people. But the steady break-up of the state into what amounts to feudal divisions, and the need for soldiers and still more soldiers, result almost of necessity in whatever methods can be used to squeeze out the needed money, even to restoring in full force the opium evil which was once nearly eradicated. Yet, in return for all this suffering, for the still more personal suffering from the press-gangs which at each petty civil war carry off laborers from their homes, and for the untold wrongs endured by women and girls at the hands of the soldiers, what is given? What, indeed, but the least amount in benefits that any modern nation provides? Looking back over the fourteen years since the revolution, it is easy to condemn the facile optimism which thought it possible for China to leap from paternal monarchy to parliamentary republicanism without traversing the intermediate steps of national unity and popular control with popular education as a prerequisite. The removal of the visible symbol of unity opened the path to chaos, and it is now all but impossible to secure any common action except against outside aggressions.

Parties have sprung up, but there is no fund of experience in carrying on party government. Defeated leaders have had no recourse but to accept foreign hospitality or go to prison. The overthrow of a general or a president almost inevitably spells flight. The lesson is still to be learned that the ballot and not the bullet should be the final arbiter in an ordered modern state. Bandits today, soldiers tomorrow, soldiers today, bandits tomorrow—thus the whirligig moves, giving to the country an aspect of mediaevalism which in Europe has passed into

romance, but which in China possesses none of the glamour of distance in time or space.

It must not be supposed that the Chinese peasants feel the full force of this misgovernment. Here is the brightest spot in the picture. The moment one leaves the city behind, one steps into a comparatively free and well-ordered rural community where local co-operation supplies the place of government. The fact that the government does little for the people is chiefly of importance to the city groups and the merchants. The iron law of custom still holds the villages to the same arrangements which have prevailed for ages. To the limit of their resources, the villagers come together to carry on all the important matters which concern them. Settlement of quarrels over boundaries (if not too serious), divorces, care of roads and bridges, protection against robbers, the proper sacrifices to the divinites of the soil—such tasks as these are undertaken by them. So far as it reaches, this type of village control is proving most effective. But for the broad needs of the highly organized modern state that China is in process of becoming, it is much too primitive.

Again, in industry China finds itself far behind the West. The hand loom and the spinning wheel have not disappeared from the remoter towns and villages; the gilds are still strong; handicrafts with small shops, where the proprietor works among the apprentices and journeymen, color the larger part of the picture. Except in the big cities, there is but the most rudimentary organization of a banking system to help commerce; remittances can be made, but with great difficulty. The money system, though much improved during the last few years, still continues to be uncertain, because, apart from silver dollars and copper coins, there is no universal medium of circulation, and even these two types of currency move up and down in terms of each other.

At the same time, the great quantity of man power

and raw materials is attracting foreign capitalism to the cities, and foreign capitalism is bringing with it an army of vexing problems. These problems are peculiarly difficult in China, because of the suddenness of their approach, which has been quite unlike their gradual invasion of Europe. Here perfected machines and millions of dollars of capital have come almost over night into a country unprepared either in understanding of the issues or in strength of government to control them. It is because of this situation that the whisper of Bolshevistic propaganda meets with such a response. Venality in government, which has pledged so many of China's resources for loans—loans benefiting the officials chiefly, the people not at all—seems to have brought in the capitalistic foe, whose depredations appear to impoverish the Chinese in order to enrich the outsiders. Is it any wonder, then, that young China hates the capitalism of the West and swallows the specious bait of the communists?

Here, again, we face a serious danger—the danger, that by playing with the fire of communism, which is alien to Chinese traditions, the radical elements in the population will deliver China to an economic and social revolution before it has passed through the intermediate steps of democracy. The effect of such an upheaval on the peasant might be negligible, as in the case of the political revolution; but it would be, in general, a calamity to a people already suffering from an incomplete political revolution and in dire need of all the paraphernalia of modern economic and industrial organization.

In certain economic directions, the beginnings of modernization have been made. In the foreign settlements particularly, there are both Chinese banks established by well-trained young men from abroad, and foreign banks. There are also the beginnings of joint stock companies in such well-conducted organizations as the China Merchants' Steamship Company and the Commercial

Press. Delivered from the fear of political oppression and illegal exactions, such aggregations of capital would naturally increase and spread to the interior; but present-day conditions and fear of the future keep capital in hiding or in foreign concessions. Thousands of men in China educated in the West are seeking opportunities for developing mines, railways, steamship lines, manufactures, and all sorts of commercial enterprises, but they vegetate today in the large cities, because no one dares to launch these enterprises, knowing full well that they will meet with disaster through unjust officials.

Those who are asking for the abrogation of extraterritoriality on the assumption that foreigners will lose nothing by it in the lawcourts, because even military officials will not care to risk offending foreign governments by coercing the judges, are more hopeful than the facts would seem to warrant. So far as the Chinese themselves are concerned, the law courts can be endured because the minor matters that affect the everyday life of the people are generally settled out of court in the village organizations. Moreover, it is only fair to say that there are today numbers of well-trained lawyers and judges, who—in cases where none of the higher officials is concerned—render fair judgments. No one would dare claim, however, that, generally-speaking, there is such a thing as an independent judiciary, and certain experiences of Russians who have fallen into the hands of Chinese courts do not reassure one. The Germans appear to have fared somewhat better; but, if the facts are as reported, in some of the cases which were clear enough a judgment could not be secured from the court because interests of men "higher up" were involved. Practically all the advanced nations of the world are better off in this regard than China. Naturally, the Chinese resent the thought that through consular jurisdiction foreigners are now excluded from the operation of Chinese laws; but if China expects to enjoy future contacts

with other nations on terms of equality, it will be necessary for the country to go a long way forward in setting the judges free, providing modern codes of law, and giving the courts power to restrain the executive branch from illegal actions.

More serious than the disorder they have caused within the schools is the activity of the students in the political world. Their first interference in politics on a great scale was in connection with the Treaty of Versailles in 1919 when they protested against the award of Kiaochow to Japan. Since that time, scarcely an act of the government has failed to draw some amount of fire from them. So far as they are moved with a sense of patriotism, they cannot fail to win sympathy from all who admire patriotism; but much too often they display a shocking lack of wisdom, which leads to actions that are destructive of the very ends they seek to attain. They are a source of alarm to some of their own more conservative leaders and to Chinese educators. These men, inspired by equally patriotic motives, feel great concern over the undisciplined group of youngsters who, under the guise of patriotism, refuse to take examinations, claim numerous holidays, and keep the school authorities in a constant ferment; for, as many say with justice, what kind of citizens can come from so wrong-headed a generation?

But perhaps most serious of all is the eager support which all kinds of specious causes secure among the student groups. In the anti-imperialist and anti-Christian movements, in the boycott of foreigners last year, in the advance of communistic activity, students and their unions have been at the front, pressed from behind by radical groups. Not alone do the foreigners suffer from them, but governmental agencies must be constantly on the alert to keep student activities from playing directly into the hands of the subversive elements in society. In a number of recent troubles, the connection between the

apparently spontaneous student disorders and the communists was very close; large sums of money that have come into the coffers of these groups have been traced almost directly to Russia.

Merchants, peasants, and gentry—including the better balanced of the returned students—form the hopeful elements in the situation. The last named have always had much power, and were civil government not submerged by militarism, they would be very powerful still. The peasants, however, form a compact and conservative mass which will for some time to come prevent the radicals from putting their advanced theories into practice. But their ignorance will, in the absence of popular education, long prevent China from achieving a genuine democracy. The merchants, under the guidance of Western-trained men, would rapidly bring the country forward economically if they were free to organize and carry on their operations without the interference of the soldiers and the oppressive and illegal taxes. In spite of these great handicaps, they are doing more than would most others of their class if similar conditions prevailed in other lands. China needs to tread the road Europe has trodden and develop a strong middle class in this merchant order. The success of Chinese enterprisers in other lands under strong government shows what may be hoped for when they have a chance at home.

And all this brings us back to the point from which we set forth. Are the treaties really the cause of China's present condition, and will their revision help matters? Mr. C. T. Wang stated in a magazine article, which appeared on the eve of the tariff conference, that the chief gain which would accrue to China through the grant of tariff autonomy would be the satisfaction of having recovered a sovereign right, practically nothing more. Likewise, with the doing away of extraterritoriality, China would gain a similar satisfaction. Though this may be profitable so far as good feeling is concerned,

only the future can tell whether the cost of such a satisfaction will be the ruin of foreign trade and the departure of those outsiders who cannot live and carry on their enterprises under the restrictions which may be expected. The conditions of foreigners in Turkey since the abolition of the Capitulations, her loss of trade, and her losses in prestige, all suggest that something of the same kind would be the immediate price of saving China's face.

Even if none of these misfortunes occur, China will still have a hard race to run with the rest of the world, and will labor against heavy odds. There is no sign of the strong man who is to lead the nation to its distinct goal. Moreover, what leaders China has not only fail to measure up to the need, but bid fair, in their present eagerness to seize control of their own country and of the schools and other enterprises built up at the cost of much sacrifice and devotion from across the seas, to lose a great deal of valuable help.

FORWARD OR BACKWARD IN CHINA[2]

Fifteen years ago, one heard in the Treaty Ports of China a general condemnation of the Chinese as a people possessed of no patriotism. Today, in the same ports and from the same comfortable arm-chairs and from the same mouths, you hear a general condemnation, a damnation, in fact, of the Chinese for nationalism and all its works. There has been developed in China, unquestionably, a consciousness of Chinese entity, of national interests, and of national rights—that thing which we call patriotism. Probably not one in ten of the Chinese people has what you would call an intelligent opinion with

[2] From address of Dr. Stanley K. Hornbeck, Harvard College; instructor Chinese Government Colleges, 1909-13; technical advisor on Far Eastern questions to the American Delegations at Paris, Washington, and Peking Conferences. Pamphlet no. 43. p. 20-8. Foreign Policy Association, New York. March, 1927.

regard to contemporary or any other political matters, but that is of no great consequence. There is an articulate, political China made up of several million Chinese subjects—and politically speaking that articulate group is China.

I believe in the Nationalist Movement—which is nation-wide and which extends beyond the field of politics —because national self-consciousness, expressed in a general awakening, is making toward progress, toward national unity, toward Chinese independence. When this world has become a world of truly independent states, law will have some chance of being conclusive in international affairs.

The Nationalist Movement, however, is a bigger thing than the Nationalist Party. The Party is at once one of the producers and one of the products of the Movement. The Nationalist Government is a child of the Party. Within the Party and within the Government there are at present three separate elements. There is a Left Wing, a Right Wing, and a Center which is moderate, and those elements are contesting for power within the party itself. The Nationalistic armies are still another thing, and each of these is a thing less than the Nationalist Movement.

I take no stock in the idea frequently expressed that the Chinese nation no longer possesses the capacity to govern itself. I expect to see the Chinese evolve a government which will be suitable and satisfactory to them—whether it will be satisfactory to foreigners is another question—but there arise two immediate and pertinent questions. First, has China a government *now?* Mr. Clark has answered that question. Second, is China ready, would she be able now to meet, treat with, and treat the other states, in general, as the other states meet and treat each other?

When a nation seeks to treat with other nations there must be authorized spokesmen. The authority of these

spokesmen must be such that the contracts into which they enter with the spokesmen of other nations will be law within the groups for which they speak. They must represent not alone the wishes, the aspirations, and the demands of their people, but the organized will. That would be my reply, if I were called upon for one, to Mr. Clark's proposal that a single man, well known to all of us, and who does, I think, represent China's aspirations, could enter into agreements today in the nature of treaties between China and the foreign powers.

A nation may have culture, industry, arts, letters, science, religion, ideas, desires, aspirations and public opinion without organization. It may make a good boycott or a strike, it may present a petition or make demands with a minimum of organization, but it cannot collect or disburse a national revenue, it cannot make and endorse a national system of law, it cannot make and carry out international contracts, unless it has an organization through which to express politically, both within and without, the national will.

Twenty-five years ago, the American Government induced the principal World Powers to affirm their respect for the principle of the sovereignty and the administrative entity of China (at that time the Chinese Empire.) Five years ago, eight Powers agreed by treaty to respect the sovereignty, the independence and the territorial and administrative integrity of China.

Now it is demanded that the Powers treat China as they treat each other in the family of nations. In fact, it is demanded that they treat China *better* than they treat each other.

Fifteen years ago, China set sail for a promised land of popular government. She has cruised in stormy seas and she has not yet entered a port. Chinese village life was democratic. Chinese national life was autocratic. China was a unitary state, but the villages, towns, districts, provinces were held together by one thing only,

the authority of the Emperor. The revolution destroyed that authority, and so far it has not succeeded in producing a national authority to take its place.

The basic difficulty with regard to political China today is that there is no Emperor, no King, no President, no Chief Executive, no Provisional Chief Executive, no Dictator, no High Priest, no outstanding popular leader, no parliament, no constitution, no enacted laws which are recognized and enforced; in other words, no responsible and effective authority. There is no government *of China.*

There is no one, in other words, who is willing and able to assume the responsibilities which go with an assumption of sovereign authority, and there is no one, in fact, who can rightfully claim that he possesses sovereign authority in China today.

China is in the throes of two great political efforts. The first is a contest for power on the part of rival factions in China, and the second is a revolt against the influence or the fancied influence of foreign powers, foreign governments, foreign ideas. Having cast off almost all authority within the state (and it goes right down even into the family now), political China is arrayed against such authority as remains from without. Having no constitutional limitations, they are bent upon having no treaty restrictions.

Government in China has become regional. There is government, of course, but it is regional. In most regions it is autocratic. Where the Nationalist Party is in control, it is oligarchic. Each of the major military leaders resembles a feudal chieftain who creates, maintains and owns his army. He fights where and when and against whom he pleases. There were as recently as a year ago six such groups and there are now four, and each rests for its authority upon force. Most of the military autocrats are not for the people and the people are not for them. The attitude of the average Chinese in

most of these regions is that of the Irishman who was asked what were his political sympathies. He replied that has was agin' the government. He was told that there was no government, that there prevailed an anarchy, and he said, "In that case I'm agin' the anarchy."

In every jurisdiction the civil administration is at the mercy of the military authorities. Nowhere is the ordinary citizen, or for that matter any citizen, assured the rights of life, liberty and property, or due process of law, to say nothing of the pursuit of happiness. Within the past year, scores of Chinese civilians, high and low, north and south, have been executed without trial, at the mere order of military dictators. Most conspicuous among the victims have been editors, students and merchants. We may smile with the *Baltimore Sun,* which said: "In China they are executing editors without trial. Well, what of it? Editors have trials enough." But this is a serious matter for the Chinese who knows that his turn may come tomorrow.

Why are there foreign war vessels in Chinese waters? Because no Chinese authority is able to guarantee safety of life and property. Why are there foreign guards at Peking and Tientsin? There were none until after 1900, and they are there now, by the protocol of 1901, as a police force. What justification is there for residential, commercial, and diplomatic areas under foreign jurisdiction and foreign protection? The fact that life, both foreign and Chinese, is better ordered and more secure, that property is better regulated and safe-guarded within these areas than outside them. Why? Because the foreigners insist that in China as in other countries punishments should not be inflicted, life should not be taken, property should not be confiscated or levied upon without due process of law. Treaty provisions and the presence, the prestige and the armed guards of the foreigners do not destroy liberty in China; they have some

effect in discouraging license while the country is in chaos.

Let me tell you something about Shanghai. In 1842 there was on the Hwang-pu River a Chinese walled city of about 500,000 inhabitants. After the port was opened by the treaty to which the Chairman has referred, the Chinese officials set aside an area outside of that city for residence of the British. It was agreed that the British should live there and carry on their business. They also set aside an area for the French and an area for the Americans. The foreigners developed those areas. They turned empty, swampy, mud flats (which at that time had little or no value in the eyes of the Chinese) into a great, prosperous, modern port, one of the greatest in volume of business in the world. The Americans and British amalgamated their areas and created an International Settlement. The original city remains Chinese, and it and the area all around Shanghai are governed exclusively by Chinese. The French area is under French jurisdiction and the International Settlement is under mixed foreign jurisdiction with a Municipal Council elected by the foreign taxpayers.

There are between thirty and forty thousand foreigners there in the French concession and the International Settlement. Into those areas have come as a matter of privilege nearly one million three hundred thousand Chinese. Why have they come there? Because there they find good government, there they are safe, and there they can prosper.

Why do foreigners and Chinese who live within and who have established their business within these regions view with apprehension (I might say with abhorrence), and oppose vehemently (I might say violently), the suggestion that the administration be turned over forthwith to Chinese authorities? Because, first, no Chinese authority possessed of a legal right to do so has demanded that those regions be turned over. Second, because nowhere

should the administration of a great municipality be transferred from one authority to another except under law and by orderly legal processes. Third, because the experience of the ex-German, ex-Austrian and ex-Russian concessions which have been turned over during the past ten years is in every case that the conditions of life and property, both of foreign and of Chinese residents, have not been improved, but have been less satisfactory than they were before the transfer.

During the period of the Taiping Rebellion, when, the Taipings having taken the Chinese city of Shanghai, the Chinese officials had fled and there was no one to collect the customs duties, the American, the British, and the French consuls collected the customs duties and, when they had the opportunity, turned over the proceeds to the Chinese Government. The Chinese Government was so delighted at the large sums of money which it was shown could be collected at this port that they forthwith asked the foreigners to extend the administration and create a national customs administration, and that was the beginning of the Chinese Maritime Customs Administration.

Why do foreign governments view with alarm the tendency toward destruction of the authority of this administration? Because, due to the efficiency of the foreign personnel, the Customs Administration has produced for China more revenue and has made possible for China the procuring of more credit than has any other fiscal agency which she has ever employed; because in every other field the military gentry are imposing extortionate taxes and are taking all the money that they can collect—for their own, which is to say, for military purposes.

China has hypothecated a portion of the customs revenue for the service of loans, some foreign, some Chinese, and for the service of the Boxer indemnities, which indemnities have been remitted to China on the pledge

that the funds will be used for specified Chinese purposes, mostly education. And China has given pledges that while these obligations are outstanding she will not destroy the administration which alone ensures the regular collection and the faithful application of these revenues to the purposes agreed upon. Speaking of duress, the customs administration was created not under duress, the Boxer indemnities have been restored not under duress, and the Powers interfered in Canton in 1923 not with the Chinese government but with a self-constituted local authority which, with no legal right and in defiance of treaty provisions, was planning to seize the customs revenues and divert them to its own uses. China has a national debt of approximately one billion two hundred and fifty million dollars (gold). Less than half of this is secured on the customs receipts. That portion is being served; but on the remainder, except for a small portion received on the Salt revenues, not one cent is being paid. The Customs produced last year eight million taels more than it ever produced before. In several jurisdictions the military governments have recently imposed surtaxes on imports equalling the amount of the customs duties. Are they paying from it anything on *national* obligation? Are they applying it to national purposes? No. The money is practically all being used for local purposes, chiefly military.

The break-down of authority in China is not due to the treaties. China had similar break-downs of authority before there were any treaties and before there were present any foreign powers. Chinese history shows many revolutions after which and before the creation of a new and stable government there were long periods of chaos. The treaties, the activities of the Powers were but one among many factors which contributed to the Revolution of 1911, which is the present revolution. The abrogation of the treaties would no more produce calm than would the pulling up of a breakwater or the sac-

rificing of a ship put an end to a storm at sea. I expected Mr. Clark to say that this storm has affected only the surface of the ocean. I have heard him say it, and in reply I would say that it is true—it affects only the surface of this great, broad, and deep ocean which is China, but foreign nations and foreign nationals have their contacts with China only on the surface. We are not meeting in submarines. It is the few million, not the submerged hundreds of millions of Chinese whose activities affect us. Among the factors that have produced this chaos (because some people say that the treaties are entirely responsible), are the Manchus, whom the Chinese allowed to conquer them and rule them for two hundred and fifty years; the Chinese, who allowed the Manchus to conquer them—a handful of Manchus over several hundred millions of Chinese; the foreigners, of course; the Chinese of new China, who have had contact with foreigners; economic factors (if you want to go into this business, study the present economic situation of China and you will learn some things about why China is in chaos, just as you would know why China has had revolutions before, over and over, at intervals); ignorance and emotionalism on the part of the populace, (the anti-foreign demonstrations which have been recently taking the form of mob violence are in large part due to ignorance on the part of the people, less than five per cent of whom are educated, and it is from an ignorant and hungry proletariat that agitators, who choose to, make mobs and produce riots); propaganda, incitation, military aid, money, arms, munitions, and occasionally direct interference—by some foreign governments and some foreign nationals. In this connection it should be remembered that these things occur also as between states and peoples where there are no special treaty provisions, that is where there is no treaty régime such as prevails in China.

Whatever the faults of the treaty system, it must be

remembered that it exists. It has been the legal basis upon which many foreigners and more Chinese have ordered their lives, made their investments, created and carried on their lawful business during several generations. It cannot be abolished abruptly without working great hardship and much injustice to several millions of honest, law-abiding, hard-working and progressive people—foreigners and Chinese. There will be more Chinese affected by what happens in this matter than there will be foreigners. Incidentally there are ten million Chinese living abroad. There are less than a million foreigners living in China. The Chinese abroad are protected by treaty rights, just as are the foreigners in China, even though the treaty rights in the two cases may be different kinds of treaty rights. Destroy the treaties abruptly—you destroy the basis upon which the rights of all these people exist. All that the foreign powers are asking is that the treaties be not abolished abruptly.

The principal reason for the objection of the treaty power governments to abrupt renunciation of the extraterritoriality system is that the Chinese jurisdictional system has not been completed and behind Chinese laws and courts today there is no sanction, as I have said, of an effective authority. But the major treaty powers have promised specifically and clearly that they will give up this system as soon as there are in China a body of laws and a system of courts which offer and can guarantee approximate justice and have behind them the sanction and the assurance of an organized political authority.

At the Washington Conference the Powers promised that the tariff rates would be increased. At Peking, they did their utmost to carry that promise into effect, tariff autonomy was promised for 1929, and prolonged efforts were made to put into effect an interim schedule increasing the rates in the period before 1929. The Tariff Conference adjourned last summer not because the foreign

powers had gone there without the intention to do what they had promised, not because seven out of ten of the Chinese delegates had left Peking during the war which was waged all around, but because the Nationalist Government and the Nationalist armies had served notice in July that they would respect no treaty which might be negotiated by the Peking Government.

Mr. Clark has referred to the fact that the British Government, the Belgian Government, and the Japanese Government are negotiating. The British Government has been negotiating with the Cantonese for more than twelve months; so far there are no conclusive results. The Belgian Government is negotiating with Peking, because there was a situation which made it necessary at the moment to negotiate, and with regard to particular matters. The Japanese have been negotiating with the Chinese for eighteen months. Nothing is concluded. I could cite you nine specific things which have been done by the Treaty Powers in the past five years since the Washington Conference in the matter of specific relinquishments, showing that the Powers at least have the will to do something even though it may very fairly be charged that they are slow and that because of their effort to act in cooperation they often arrive at a deadlock.

Denunciation of our own Government is a favorite indoor sport with Americans. It reminds me frequently of the story of the bishops who were drawing up a memorial to one of the Kings George. The draftsman thought it proper to begin with an expression of humility, and they drafted, "Conscious as we are of our imperfections." Some of them who weren't so sure of that demurred and the draftsmen who were experts in phraseology proposed, "Conscious as we are of one another's imperfections." That phraseology seems to have gotten by. When I read in the preamble of the Porter Resolution as it was originally submitted a few weeks ago that the United States had been "unjust" in its dealings with

China, I started to try to find out in what respect, and I have looked high and low and I have asked a number of my friends who are supposed to know something about those matters, and I have been given nothing to sustain a charge that the American Government has been unjust in its dealings with China. I am speaking now of the China end. The American people and perhaps the American Government have done and have tolerated some things in this country which would scarcely square with the highest canons of justice. But in our foreign policy, in our general governmental activities in regard to China, I think that we have been just.

Now, there are those who demand that the American Government gamble in futures, that it stake everything on the prospects of one Chinese faction; and they say that if the United States does not do this the Chinese will lose faith in America, will regard America as an imperialistic power, will consider her an enemy and treat her as such. They ask further that the American Government do some things which it has already done, and they urge that it do some things which it cannot. It was urged a few weeks ago, for instance, in some quarters, that the American Government should simply say, "Well, we give up the treaties and whenever you are ready, you come and we will negotiate with you a new one." Secretary Kellogg explained in one single but very pertinent sentence why that could not be done. The executive branch of the American Goverment has no authority to declare a treaty terminated. A treaty has to be ratified by the Senate and for a treaty to be put out of existence (our treaty has five years to run), it would be necessary to have regular negotiations and regular ratification of that which is to take the place of those which exist at present. But the State Department certainly has made it clear that it is ready to negotiate and it has declared, as Mr. Clark has said, that it will negotiate if the Chinese will produce a delegation which

speaks for China or for the Chinese people. How, however, are the Chinese people going to express their will until there is a Government of China, or until you are ready to recognize that there are more governments than one in China? The American Government has always stood for the integrity of China. The American Government still stands for that principle, and of course cannot be enthusiastically inclined toward any proposal which is likely to make away from the maintenance of that principle of the integrity of China. The American Government has shown that it is willing to negotiate either in cooperation with the other powers, or, as Secretary Kellogg said the other day, alone. It is proposed that the American Government should declare formally to the Chinese Minister in Washington (who, by the way, in my opinion *does* represent China) that it desires that China appoint a delegation and enter forthwith into negotiations. In the first place, of course, inasmuch as the American Government has declared that it is ready to enter into negotiations, it would seem that there should come a declaration from the other side that the other country is ready to enter into negotiations. But, if the other side is not ready, if it is not in a position to produce a delegation which will speak for China or the Chinese people, a formal suggestion to its Minister might be a very embarrassing thing. You would either have a hiatus or you would have excuses. Why force a situation like that? Whenever the Chinese are ready to produce a delegation someone will announce that fact, and then the matter of invitation is a very simple matter.

CHINESE PUZZLE AND ITS SOLUTION[2]

When the fervently patriotic Chinese youngster becomes aware that his country has ceased to be a nation,

[2] From article by Rodney Gilbert. *Fortnightly Review.* 126: 604-17. November, 1926.

that its credit at home and abroad is gone, that its internal and foreign trade are being strangled, that such government as there is is a scandal, and that the wretched people are staggering under a weight of imposition and abuse that they cannot long carry, he will not admit to himself that the fault can possibly lie anywhere within China, but must in some way be laid at the door of the nefarious foreigner.

In this mood he receives from the Russian agitator with real gratitude such expressions as "the exploitation of the weaker peoples," repudiation of the "unequal treaties," "capitalistic imperialism," and the like, and whips himself into a perfect frenzy of patriotism of the most unreasonably anti-foreign character. He has never read the "unequal treaties," and has no idea how they came to be negotiated. He has no conception of what "capitalistic imperialism" means, and does not want any. He is pleased only to believe that it is all the foreigner's fault, and that these slogans make it clear.

It is this state of mind that the foreign communities in China have been facing for several years. The Russians, moreover, have spent a great deal of money cultivating such ideas, and we have spent nothing. All Chinese officialdom pats the young enthusiast on the back, secretly or openly, and tells him he has the right idea, because foreign supervision of certain revenues and certain checks which the Powers still hold upon officialdom are the very last checks upon their free and untrammelled exploitation of their country. If these can be shaken off China can be looted without stint or mercy.

Illegal taxes are imposed upon foreign goods and protests are elicited from the Legations, which are dully ignored. If nothing further happens more and heavier illegal taxes are imposed. Foreigners are outraged in person and property by unruly soldiery, perhaps. The official responsible says it was the foreigner's fault. He

deliberately stopped a Chinese bullet with his person or committed an assault upon a company of armed men. Apologies and indemnities are therefore refused. If nothing happens there are more outrages. The Government defaults on an interest payment on a foreign loan, and the Legations, of course, protest. The protest is ignored, so if nothing happens the Government defaults on all loans. If the Powers, individually or in a group, threaten drastic action because of some flagrant and high-handed breach of the treaties, the Russian agents and the Chinese official agents hasten to stir up the nationalists, and a wail goes up that is heard in London, Washington, and every other capital. The missionaries become alarmed. They think that Chinese "good will" is being alienated, and that their cause will suffer, so they make strong appeals for conciliation. They say we must give up something to appease and quiet the patriots. To show how highly this is appreciated a few mission hospitals are thereafter commandeered as barracks, and a few chapels converted into stables.

This is the "Nationalism" that is so widely advertised abroad.

The "unequal treaties" deserve a little attention also. Without going into elaborate details it may be said without fear of denial that all of the older treaties, which embody the rights enjoyed by foreigners in China, were negotiated to force the Chinese to treat us as equals and not as inferiors, as traders from civilized countries entitled to fair dealing, and not as despised savages whom the Chinese authorities could abuse, loot or exclude altogether from trade according to fancy. They would not let us trade in the interior, so we asked for plots of land where we could live by ourselves, and they gave us unproductive rocks, malarial swamps, sand banks and beggars' quarters in contempt. This was the origin of the concessions, now the most valuable bits of land in

China, crammed with Chinese who will not live under their own Government. Their existence is now a violation of China's sovereign rights, an outrage upon her dignity!

The rights which the "unequal treaties" give us are, in brief, the following: The right to reside in certain alloted settlements and trade. The right to travel in the interior and trade, but not the right to residence or the purchase of land. The right to trial by our own judicial authorities instead of by native rack and thumbscrew or by judges completely subservient to the rapacious military. The right to a fixed import and export duty on our wares and purchases, so that they may not be subject to the erratic and often confiscatory charges imposed in the old days. The right to supervise the collection of certain Chinese revenues so that the payment of China's foreign debts may not be dependent upon the arbitrary fancy of an irresponsible Government, which provision, by the way, is the sole foundation of China's foreign credit. The right, since the Boxer episode, when a valiant attempt was fostered by the Government to exterminate all foreigners, including the Diplomatic Body, to maintain in Peking a Legation quarter, to keep open a line of railway from Peking to the sea, and to station in North China a small number of guards. This sums up the most heinous features of the "unequal treaties," and there was never one of them imposed that was not absolutely essential to the security and peace of mind of the foreign trader who tried to do business with this country. The Chinese now admit that this may possibly have been true in the past, but that times have changed, and that these provisions for our safety are, in this civilized era, wholly superfluous—not only superfluous but really a standing insult to China.

Times have indeed changed, and it would be hard to picture what would happen if these provisions for the safety of the foreigner and his investments were abol-

ished in the revised treaties which the Chinese suggest. Times have changed very much for the worse. The Chinese Government, as an organ exercising authority throughout the land, has long since ceased to exist, with scant hope of its revival, so that there is no central power to appeal to against outrages and abuses. The foreign investment is a thousand times what it was seventy-five years ago, and foreigners are a hundred times more numerous and widely scattered. Chinese officials were then responsible to Peking, and heads came off lightly when things went wrong; while Chinese soldiers took orders and kept their hands off what was marked taboo. Officials now are their own masters, and declare their "independence" if rebuked, while there are 1,900,000 armed men scattered over the landscape, and a fairly large proportion of them pay themselves in loot. The foreigner enjoys some immunity still by virtue of tradition. His rights were made sacred by the punitive expedition that followed the Boxer rebellion, and this is not quite forgotten. If, however, public advertisement were made of the fact that all these hitherto sacred rights were forfeit by agreement the latent anti-foreignism that is in every Chinese heart would come to the surface, and the most popular sport in China, while there were foreigners left to harass, would be baiting the foreigner.

This is not guesswork, for there is increasing evidence of this spirit at every turn. Weak and timid diplomacy has encouraged the Chinese to show their innate attitude toward the alien more and more clearly from year to year, and in every community, including even the ports, all foreign residents live in a state of insecurity and high nervous tension which is wearing, to say the least. When, therefore, it is blandly suggested by foreigners or Chinese abroad that the way to cure all of China's ills is to surrender foreign rights in China, it is irritating, to put it mildly.

Among all the older residents in China, however, concern for the safety and welfare of foreigners is overshadowed by the thought of what would happen to the poor, miserable Chinese when the surrender of all the foreigner's treaty rights is suggested. One of the leading members of the International Commission that has been studying China's so-called "legal system" recently remarked in public: "If we acceded to all the Chinese demands and surrendered our rights, the missionaries in China would, within three months, make such an appeal on behalf of the Chinese people that we should have armed intervention at once, and on a big scale, in the name of humanity."

While we have gunboats on the Chinese coast and on China's waterways, while we have armed forces in Peking and Tientsin, while we have concessions in which the Chinese military cannot commit depradations and newspapers which they cannot suppress, foreign opinion is still a powerful restraining influence upon an otherwise irresponsible officialdom. While we have the concessions we afford millions of Chinese a safe market, places where they can trade in the open without fear of extortion, and build factories in the assurance that they will not be put out of operation by official exactions. The whole commercial life of the Chinese nation now centers in the foreign communities under foreign protection. That is why the militarists are so anxious for their retrocession. The richest looting is fenced off from them. The foreign banks and the native banks in the foreign concessions have in their vaults enormous hoards of wealth from every province upon which the militarists cannot levy, as they levy upon the banks outside the concessions. All this wealth would be available to a predatory officialdom if our rights could only be swept aside.

The surrender of our rights, the cancellation of the "unequal treaties," would be tantamount to leaving the

best elements in China in the lurch. We could run away, but the Chinese people could not.

To return now to the question of the restoration of order and respect for authority, it is clearly recognized that nothing but force could ever induce the bandit kings who have now divided China to submit to any kind of discipline at all. Whether or not China can, in her present distracted state, evolve such a force is a moot point. Every time a seemingly forceful figure looms above the military horizon and introduces himself with a few successes thousands of foreigners and millions of Chinese turn toward him as toward the rising sun, and hope fervently that China's Mussolini has appeared at last. Disappointments have been many and bitter, and all the while the task before the prospective saviour becomes more difficult and the material at hand of poorer quality. The decentralization of power, the breakdown of discipline and of the tradition of loyalty in the army reduce the chances of success. Worst of all, the impoverishment of the people and the ruin of such national properties as the railways, the predominance of adventurers and ruthless exploiters in the seats of high authority, are constant reminders that China has not much farther to go. The virtual collapse of the Tariff Conference at the end of June, after eight months of futile negotiation, has advertised to the world the fact that China is financially bankrupt, and that it is impossible to put her on her feet again until there is a real Government, exercising real authority throughout the land.

The ready and easy alternative to the "Chinese Mussolini" who refuses to appear is, of course, international intervention. One has only to murmur this to hear the nationalists fume and the military exploiters rage. Chinese resistance to such intervention would, however, be trifling. In spite of all the nonsense published about China's "legitimate aspirations" there is ample evidence

to show that the masses of the Chinese people would welcome any change, however radical, which would bring some surcease from their tribulations. The obstacle to the suggestion is not any force in China that might oppose intervention, but scandalized public opinion in Great Britain and America, where a "square deal" for China has become an important clause in the political creed of every faction, and where our good folk are far from realizing that the sympathy which they might with good cause lavish upon the Chinese people is not expended in support of the China that they want to help, which is the prostrate victim of the cruelest and most destructive militaristic system of modern times, but goes to bolster up the cause of China's worst enemies, her own native exploiters.

Misguided public opinion may be an almost insuperable difficulty in the way of intervention in China at the moment, but if one wants a satisfactory solution within a reasonable time it is the only one. Publicists throughout the Occident are very loth to advocate intervention in the face of popular prejudice, so it appears that events and conditions in China will have to advertise themselves. This they are doing, and this they will continue to do, and it appears to us who live in the East that the startling catastrophe, whatever its nature, which will bring about a radical change of attitude toward conditions in China throughout the world cannot be very remote because things cannot go on very much longer as they are.

EXAMINATION OF GRIEVANCES[4]

We Germans can judge some of these complaints quite disinterestedly, for since the war we have neither

[4] From article "Is China Anti-foreign?" by a German correspondent. Reprinted from the *Frankfurter-Zeitung* (Liberal daily), June 21, 1925. *Living Age*. 326: 241-4. August 1, 1925.

consular courts nor settlements in China. But fairness bids us say that the consular courts and the settlements were originally established at the instance of the Chinese themselves. The Peking Government demanded, in return for opening its doors to foreign trade, that foreign governments should assume responsibility for the conduct of their subjects within her borders, and that the right of these strangers to reside and do business there should be limited to definite and easily supervised areas. Both these arrangements agree perfectly with the old Asiatic conception of national jurisdiction, and the consular courts and the settlements were originally considered by the Chinese restrictions and disabilities upon foreigners, rather than privileges granted to them. They have become privileges to be sure, in the course of time. The settlements have grown wealthy and powerful through the industry, integrity, and cooperation of their European, American, and Japanese residents.

Nevertheless, we must admit that both consular courts and foreign settlements are an anachronism in a modern, well-ordered state, and cannot continue forever. But even the wildest young China agitator would not venture to claim that China is as yet a modern, well-ordered state. The argument of the Chinese patriots is this: the consular courts lower the authority of native courts in the eyes of the people, and the settlements perpetuate the present lawlessness. And it is true that every self-seeking adventurer who has gambled and lost, whether he be a politician, a military man, a speculator, or an ordinary criminal, hastens to take refuge in the settlements. So the latter argument has some weight and appeals even to many Europeans and Americans. But it should not be over-emphasized. We must not forget the unquestioned fact that the consular courts and the settlements have never been flagrantly misused by foreigners to China's disadvantage, and that if it had not been for the settlements China's foreign trade would

not have continued to prosper as remarkably as it has during the recent confusion and anarchy.

China's resentment at the foreign control exercised over the administration of the customs, the post office, and the salt-tax is easy enough to understand on sentimental grounds. But as long as China is a debtor nation whose revenues from those sources are pledged for the payment of her debts, and as long as she has given no evidence that she is able to collect these revenues honestly, the present arrangement is from a business point of view imperative.

The attacks upon foreign investment are equally far from the point. Foreign capital has helped develop the national resources of the country. To exclude that capital as a matter of principle would not only condemn China to inferior rank among the nations of the world, but would set back her economic development by decades. No rational Chinaman can help welcoming foreign capital and facilitating its investment in every way compatible with his country's sovereign rights. Doubtless foreigners have in some cases taken advantage of the inexperience and the corruptibility of China's officials to exploit the country unfairly. But there are reasonable remedies for such abuses.

We come now to the attacks upon foreign schools and missions. These are based upon a sheer appeal to prejudice and lack all substantial justification. The old-fashioned missionary who came to convert "the blind heathen" has practically died out. His successor, no matter what his faith and nationality, is today first and foremost a social worker: a physician, a teacher, a sanitarian, a laborer in the field of charity. The magnificent institutions that Christian missionaries have established in China are the best possible justification for the missions. Almost without exception they are open to anybody who will accept their services. They make no distinction between Christians and non-Christians. Indeed

the people as a whole recognize the good work that they are doing.

The arguments of the anti-foreign agitators will not stand analysis. But that does not lessen the fact that the agitation exists and is an inevitable passing phase of China's awakening consciousness. The movement is still sporadic and unorganized. It appeals to one argument in this place and another argument in another place. Many of the so-called reformers would indignantly deny that they are hostile on principle to foreigners. But no matter what the principal grievance in the mind of the individual reformer may be, whether it be economic political, or sentimental, it is at the bottom associated with hatred for strangers, and the danger is very great that the present unrest may crystallize into a definite and united anti-foreign campaign.

FOREIGN RIGHTS AND FOREIGN BUSINESS IN CHINA[5]

Our question in China is today what it has been for many years. The same underlying issue brought on the Boxer trouble as it is stirring up dissension in student circles at the present moment.

It is simply this: can any nation in a modern world, possessing vast resources, arbitrarily deny to the nations of other countries the right of entrance for the purposes of trade under what the entire trading world regards as fair trading opportunities? The economist would be outraged at the thought of any nation tying up indefinitely a material part of the world's resources by refusing to develop them itself, and refusing, also, to allow others to develop them.

The powers have merely insisted upon China affording opportunities for development of China whether

[5] From article by Warrack Wallace, ex-resident in China. *Export Trade and Finance.* 14: 7-13. October 17, 1925.

China wants to develop or not. There is no barrier placed in the way of Chinese creating their own industries and developing their own mineral resources. The Chinese, in fact, has a very great advantage over any foreigner who attempts these things in China, but he, nevertheless, sleeps on his oars. What development there is in China is being done by foreign initiative and capital. Without this, China would contribute little to the world's commerce.

Notwithstanding this, our American press shouts for the abolition of foreign limitations on Chinese tariff and, also, of extraterritorial rights—"China for the Chinese." The press may be right, but every reader who subscribes to the doctrine should know its inevitable results. American investments of money and energy have been made on the faith of the rights which are now being attacked. The power to do legitimate business in China under reasonable protection has been taken as established and guaranteed by such treaty rights. When there is talk of depriving foreign business of this guarantee the orators should keep in mind the consequences. Those who have had intimate acquaintance with the Chinese in China know what these consequences must be—others cannot comprehend them as they cannot realize that China is not in any way similar to our western countries and has entirely different reactions.

Those who say men who enter a foreign country must take that country as it is, or leave it alone entirely, are totally disregarding history and human nature. Whether it be right or wrong to develop the world's resources, notwithstanding the dissenter who happens to be camped on top of them, the development has always gone right along and always will.

And when the abolition of tariff limitations and extraterritorial rights is advocated, the advocate should comprehend that he is advising that all foreigners doing business in China be turned over together with their

business Lares and Penates, to the whim, caprice and greed of a dozen or two military chieftains with no conscience, no patriotism, no decency and no ideas of justice.

To say that, suddenly, when the foreigner emerges from the protecting cloak of trial by his own consul under his own law, and steps, quaking, into the Chinese magistrates court, that that magistrate will promptly become a fair, impartial judge, though he has not been such for centuries, is to state an absurdity. If the sentimentalist wishes to abolish the foreigner's protections in China, let him do so, but let him realize that he crucifies everyone who has invested his property in China and devoted his life and energies to Chinese trade on the faith of his belief that his government would insist on the recognition of valid, subsisting, treaty rights.

EXTERRITORIALITY AN EXCEPTIONAL SYSTEM[6]

A close study of the entire subject of exterritorial jurisdiction shows clearly that it is an exceptional system, having its origin in exceptional circumstances and due to be terminated, by a voluntary surrender, by treaty, or by compulsion, whenever the exceptional circumstances have ceased to exist. Where it has passed from consular jurisdiction to the phase of mixed tribunals we have a clear case of concession to the spirit of the assertion of native authority.

Consular jurisdiction, however, during its ten centuries' span of existence has played a very important part in the spread of Western civilization and in the promotion of equitable commerce. In the midst of alien cultures it has stood for progress, justice, and law. It

[6] From article by A. J. Wolfe, chief of Division of Commercial Laws, United States, Bureau of Foreign and Domestic Commerce. *Commerce Reports.* 4: 978-80 **December 19, 1921.**

has been one of the chief guardians of European civilization in the lands of the Orient.

In these latter years it has been carried on under many disadvantages. The complexity of commercial transactions between Occident and Orient requires tribunals more thoroughly trained in the principles of law than is possible of attainment by a nonjurist. The difficulty of appeal, the confusion in cases where citizens of more than one country are either plaintiffs or defendants, the constant suspicion (largely unjustified) that the consul will favor his own national—all these considerations are mentioned by those favoring the abolition of consular jurisdiction. More important than these is the evil of multiple and often conflicting jurisprudence coexisting in a given oriental city, generally the seat of brisk international commerce.

But before the right of exterritorial jurisdiction is voluntarily surrendered the following factors must be established by the country which seeks the abolition of these restrictions of its sovereignity: It must introduce a modern system of jurisprudence based on principles of equity and justice; it must train and install a judiciary qualified by personal character and education, if not by tradition, to administer justice in the manner which the Western World has approved—until, in fact, in the words of Caleb Cushing, it is safe to commit to them the lives and liberties of the citizens of the United States.

This necessarily is the work of time and can not be either lightly promised or lightly taken on faith. It requires a period of years and a season of supervision by those who are asked to surrender their right of exterritorial jurisdiction. When this stage shall have been reached in the history of the nations within whose boundaries other nations exercise the right of exterritoriality, that will doubtless be surrendered, and exterritoriality will be confined to the personnel and immediate con-

tourage of foreign diplomatic missions and to naval and merchant vessels temporarily sojourning in foreign waters and their crews.

POSSIBLE ECONOMIC CLASH[7]

The American citizen, reading about the coming conference in Peking, is likely to wonder what difference it will make to the United States how foreigners are tried in China. As a matter of fact, however, the future of American trade and industry, perhaps even the fate of Western civilization, will depend on what happens in China in the next ten or twenty years.

For China is very large, and has enormous stores of coal and iron and oil; it has 400,000,000 inhabitants, infinitely skilled in arts and crafts, and inured to a standard of living far below that on which Westerners can support life: if these raw materials, and this manpower, are exploited by being made ruthlessly subservient to Western machinery, an economic clash is inevitable that will shake the world. In some places in China where modern machinery has been installed the Chinese men, women, and even children are working eight, ten, twelve, fourteen hours a day. Any nation, any international group of investors, that can fasten tighter the fetters on China's feet and use the power of China to its own ends could cause enormous trouble to the rest of the world. When the Russian Czars wanted to get control of China, it was political power of which they were thinking, they dreamt of forging a great armed force out of the Asiatic peoples of the world, and, directing this force through the Asiatic elements of Russia, of becoming the greatest power in the world. Some observers see now, in the loss of European prestige in Asia since the war, and in the

[7] From article "Situation in China" *City-State-Nation.* 8: 93-4 September 1, 1925.

awakened desire for self-determination in Asiatic races, a possibility that the old religions and philosophies of the East may come together united in opposition to the West. But the clash, if it comes, will be economic, rather than political; it will be fought in factories and not on battlegrounds, but it will be Western civilization pitted against that of the East: the Western demand that life be made endurable for each and all, the Western insistance on individualism, as opposed to the oriental belief that the individual does not count, is but a drop in the ocean, a grain of sand upon the shore.

EXTRATERRITORIALITY[8]

Foreigners who wish to see existing extraterritorial rights maintained can readily point to certain obvious advantages. The existence of these rights has attracted Westerners to China who would not otherwise have come. Their coming, which has been mainly for commercial purposes, has led to a considerable development of trade and increase of prosperity, in the advantage of which Chinese as well as foreigners have shared. The withdrawal of exterritoriality would greatly reduce foreign trade, and would be at least as great a disadvantage to China as the the West. The prevailing practice has made life and property secure in the treaty-ports, and especially in the foreign concessions, a fact to which the Chinese themselves have not been blind, for many of them have built homes and factories within the foreign areas. In several cases, the areas which have been conceded have been waste lands, of which the Chinese would have made no manner of use. Through foreign enterprise these places have been developed, and made to rejoice and blossom as the rose. The foreign concession in Canton, known as Shameen, was once a

[8] From article by A. M. Chirgwin. *London Quarterly Review.* 146: 66-7. July, 1926.

swamp; it is now a beautiful and well-developed area; while the foreign quarter in Shanghai is built on the vast mud-bank formed by the heaping-up of river-silt. The foundations of many of the European buildings there go down as many feet as the building itself rises above the surface. Today that quagmire is a well-administered part of Shanghai. In spite of China's legal reforms, her codes and courts are very deficient when judged by Western standards. And, even if they were entirely satisfactory, there remains the fact that China in powerless to enforce her own laws. The Government's writ scarcely runs beyond Peking. This is probably the real crux of the matter. So long as the Chinese Government is unable to guarantee to foreigners effective protection of their life and property, the Western Powers will be unwilling to surrender their rights of extraterritoriality.

RUSSIAN EXPERIENCE[9]

At the time I was in Harbin, which was in the summer of 1921, about eight months after the Chinese had cancelled Russian extraterritoriality, I had a long visit with the most prominent Russian attorney in the city, and his stories of the persecutions of the Russians were fairly heart-rending. That was under the Chinese régime—the Chang régime—men being put into jail until they would turn over property. The persecutions went further than that. Many wealthy Chinese also were put in jail and no attempt was made to bring the matter to hearing for five or six months. This attorney said a number of his clients had been incarcerated for six months and that he was unable to bring their cases to trial. The Chinese being unable to understand Russian, their operations are, of course, conducted in Chi-

[9] By Henry Kittridge Norton. *Conference on American Relations with China Report*, .1925. p. 176.

nese which necessitated the employment of interpreters. Numbers of interpreters were employed by the Chinese Government at 100 to 150 yen a month. A good Chinese-Russian interpreter is paid by a business concern about 400 or 500 yen a month, so that these men who were used in the courts were simply men who accepted service with the idea that they could take bribes from either or both sides to translate the testimony as the occasion demanded. This Russian attorney gave me an account three hours long of the persecutions to which the Russians had been subjected since the cancellation of their extraterritoriality. That was under the régime of Chang Tso-lin, and there is no specific application to the régime of the Peking Government. That is the extent of my personal knowledge.

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